

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, SEPTEMBER 12, 2000
AT 10:30 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 10:56 a.m. The meeting was recessed by Mayor Golding at 12:11 p.m. to convene the Redevelopment Agency, and to reconvene at 1:30 p.m. in Closed Session in the twelfth floor conference room to discuss existing litigation matters.

The meeting was reconvened by Deputy Mayor Mathis at 2:16 p.m. Mayor Golding adjourned the meeting at 5:08 p.m. to meet immediately in Closed Session in the twelfth floor conference room to discuss meet and confer matters.

ATTENDANCE DURING THE MEETING:

(M) Mayor Golding-present

(1) Council Member Mathis-present

(2) Council Member Wear-present

(3) Council Member Kehoe-present

(4) Council Member Stevens-present

(5) Vacant

(6) Council Member Stallings-present

(7) Council Member McCarty-present

(8) Council Member Vargas-present

Clerk-Fishkin (ew/er)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Vacant
- (6) Council Member Stallings-not present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

ITEM-10: INVOCATION

Invocation was given by Pastor Mark Reeves of Horizon Christian Fellowship.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member McCarty.

ITEM-30: Approval of Council Minutes.

TODAY'S ACTION IS: APPROVED

Approval of Council Minutes for the meetings of:

07/24/2000
07/25/2000
07/31/2000

08/01/2000
08/07/2000
08/08/2000
08/14/2000 Adjourned
08/15/2000
08/15/2000 Special Joint Meeting

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A035-038.)

CONSENT MOTION BY KEHOE TO APPROVE. Second by Stevens. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-31: Proclaiming September 12, 2000 to be “John Johnson Day” in the City of San Diego.

MAYOR GOLDING’S RECOMMENDATION:

Adopt the following resolution:

(R-2001-320) ADOPTED AS RESOLUTION R-293739

Proclaiming September 12, 2000 to be “John Johnson Day” in the City of San Diego and commending him for his years of dedicated service to our community and congratulating him on his retirement.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A039-486.)

MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-32: PRESENTED

A Special Presentation by George Chandler, Jr., District Director of the United States Small Business Administration, San Diego.

(Docketed at the request of Mayor Golding.)

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A311-486.)

ITEM-33: Karen Manley Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-353) ADOPTED AS RESOLUTION R-293740

Recognizing the outstanding contributions of Karen Manley to improve the quality of life for the citizens of San Diego through her volunteer and community service efforts;

Proclaiming September 12, 2000 to be "Karen Manley Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A200-486.)

MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Comments by Felecia Jones regarding her Case Number 99CV1494 against Triple A, as a result of anxiety stress, that was dismissed.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A487-543.)

PUBLIC COMMENT-2:

Comments by Leo Long stating that he is against Michael Gelfand and does not praise the Gelfand plan.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A544-587.)

PUBLIC COMMENT-3:

Comments by Ron Boshun thanking Mr. Hallman of the Reader, Matt Potter and the people who work for the Federal Grand Jury for their community service.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A588-652.)

PUBLIC COMMENT-4: REFERRED TO THE CITY MANAGER

Comments by Don Stillwell regarding vaccinations. Mr. Stillwell asked the following two questions: 1) Do they really work; and 2) Are they worth the risk.

He further asked the elected Officials to educate themselves on the subject; and then, work towards the elimination of compulsory vaccination.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A653-B069.)

PUBLIC COMMENT-5:

Comments by Tami Carew regarding the issue of the California Compassionate Use Act that was heard on August 15th. She further commented that it was clear to her that there is an immediate need for an approved patient identification system.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B070-090.)

PUBLIC COMMENT-6:

Comments by Steve McWilliams regarding an identification verification service for patients who have doctors' letters of recommendation that allows for an immediate affirmative defense and free patients from prosecution. He further commented that this would be a great aid to the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B091-113.)

PUBLIC COMMENT-7:

Comments by Joe Mannino speaking in opposition to the adoption by the North Bay Redevelopment Agency of the list of proposed projects. He wanted to make sure that the proposed items that were indicated were the reasons to put the Redevelopment zone into action and are followed.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B114-155.)

PUBLIC COMMENT-8:

Comment by Pete Peters stating that he lost his health club in Encinitas because one of the benefactors of the YMCA offered over \$1 million to build a new gym. In addition, the proposed list of the North Bay Redevelopment Agency, indicates that they are planning to give money to build a gym for a YMCA in Point Loma; he thinks that it is unfair to the existing gyms in that area.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B156-182.)

PUBLIC COMMENT-9:

Comment by Mark Santistevan regarding the North Bay Redevelopment project list and his opinion of owning a club in Pacific Beach. He further commented on his main concern of why he is paying more taxes than the YMCA.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B183-199.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Council Member McCarty regarding the memo from George Loveland about parking alternatives and asked that this be docketed for Council discussion.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B200-210.)

ITEM-CC-2:

Comment by Mayor Golding announcing the live web cast of the City Council Meeting and further added that this is a pilot program for three months.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B211-269.)

ITEM-50: Amendment to the San Diego Municipal Code regarding the Legislative Officers Retirement Program.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 8/7/2000. (Council voted 7-0. Councilmember Kehoe and Mayor Golding not present.):

(O-2001-35) ADOPTED AS ORDINANCE O-18847 (New Series)

Amending Chapter II, Article 4, of the San Diego Municipal Code, by amending Division 17 by amending Sections 24.1705 and 24.1706, pertaining to the Retirement System, to make changes to the Legislative Officers Retirement Program to bring it up to comparable levels of benefits provided to all other members of the Retirement System.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E431-F209.)

MOTION BY STEVENS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- * ITEM-51: Amendment to San Diego Municipal Code Sections 24.1503 and 24.1504 regarding Supplemental Cost of Living Adjustment (COLA) Program.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 8/7/2000. (Council voted 7-0. Councilmember Kehoe and Mayor Golding not present.):

(O-2001-36) ADOPTED AS ORDINANCE O-18839 (New Series)

Amending Chapter II, Article 4, of the San Diego Municipal Code by amending Section 24.1503 and 24.1504, relating to the San Diego City Employees Retirement System, to include additional retirees to the class of retirees eligible to receive the Supplemental Cost of Living Adjustment (COLA).

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- * ITEM-52: Amendment to San Diego Municipal Code Section 24.0501 regarding Stress Disability Retirement.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 8/7/2000. (Council voted 7-0. Councilmember Kehoe and Mayor Golding not present):

(O-2001-33) ADOPTED AS ORDINANCE O-18840 (New Series)

Amending Chapter II, Article 4, of the San Diego Municipal Code, by amending Division 5 by amending Section 24.0501, pertaining to the Retirement System, to

provide for a stress related industrial disability retirement for Retirement System Members who meet certain criteria.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-53: An Ordinance Amending San Diego Municipal Code Section 24.1202, Pertaining to the Retiree Health Insurance.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 8/7/2000. (Council voted 7-0. Councilmember Kehoe and Mayor Golding not present.):

(O-2001-31) ADOPTED AS ORDINANCE O-18841 (New Series)

Amending Chapter II, Article 4, of the San Diego Municipal Code by amending Division 12 by amending Section 24.1202, relating to the Retirement System, to provide a level of health care premium reimbursement commensurate with the retiree-only premium for the City sponsored PPO Plan, for health-eligible retirees whose primary residence is outside the service area of the City sponsored HMO Plans available to retirees.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-54: Bryn Glen Rezoning.

(Torrey Highlands Community Area. District-1.)

NOTE: The public testimony portion of the hearing is closed.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 8/15/2000. (Council voted 7-0. Councilmember Wear not present. District 5 vacant.):

(O-2001-42 Cor. Copy) ADOPTED AS ORDINANCE O-18842 (New Series)

Rezoning 37.3 acres located on the westerly extension of Adobe Bluffs Drive, legally described as a portion of Parcels 1 and 2 of Parcel Map PM-6902, within the boundaries of the Torrey Highlands Subarea IV Plan of the North City Future Urbanizing Area, into the R1-5000 (Single-Family Residential) and OS (Open Space) Zones.

FILE LOCATION: PERM-96-7676 (65)

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-55: Two actions related to Marina Mixed Use Amendment (Sixth Amendment) to the Centre City Redevelopment Plan, and Amendment to the Marina PDO - KUSI Project.

(Marina Sub-Area of the Centre City Redevelopment Project. District-2.)

NOTE: The public testimony portion of the hearing is closed.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances which were introduced on 8/15/2000. (Council voted 7-0. Councilmember Wear not present. District 5 vacant.):

Subitem-A: (O-2001-39) ADOPTED AS ORDINANCE O-18843 (New Series)

Approving and adopting the Marina Mixed Use Amendment (Sixth Amendment) to the Redevelopment Plan for the Centre City Redevelopment Project.

Subitem-B: (O-2001-40) ADOPTED AS ORDINANCE O-18844 (New Series)

Amending Chapter X, Article 3, Division 20, of the San Diego Municipal Code by amending Section 103.2011 relating to the Marina Planned District Ordinance.

FILE LOCATION: Subitem A: MEET; Subitem B: LAND - Marina Planned District Ordinance (10)

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-56: Approval of a Second Amended Public Use Lease between Pacific Development Partners and the City of San Diego.

(District-4.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 8/15/2000. (Council voted 7-0. Councilmember Wear not present. District 5 vacant.):

(O-2001-43) ADOPTED AS ORDINANCE O-18845 (New Series)

Authorizing the City Manager to execute a Second Amended Public Use Lease Agreement with Pacific Development Partners, LLC, for a Park and Ride facility that will be developed as part of the Imperial Marketplace Development located in the Central Imperial Redevelopment Project Area.

NOTE: Six votes required pursuant to Section 99 of the City Charter.

FILE LOCATION: LEAS - Pacific Development Partners, LLC

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-100: Furnishing Security Systems - Award of Contract.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-269) ADOPTED AS RESOLUTION R-293741

Accepting the responsive proposal meeting specifications of ADT Security Services, Incorporated (San Diego, CA) to Request for Proposal P2042/99 and authorizing the execution of a contract for furnishing Security Systems, as may be required for a period of one year from date of award, for an estimated total cost of \$4,300,000, with options to renew the contract for four additional one year periods, with price escalations not to exceed 20% of prices in effect at the end of each prior contract year;

Authorizing the expenditure of an estimated \$4,300,000 from Fund No. 41500, Department No. 760, Organization No. 391040, Object Account No. 4220, Job Order No. 185964, and CIP-75-931.0 (Water Department Security Upgrades);

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-P2042/99)

CITY MANAGER SUPPORTING INFORMATION:

The proposed contract is for the purchase and installation of complete Security Systems at various Water Utility Facilities, as may be required for a period of one year from date of award of contract. In November, 1998, the TAP Group conducted a threat assessment study of various Water Utility Facilities, including Water Production Plants and Pump Stations. This study found a number of weaknesses in the current security systems at these locations. In February 1999, the City issued an advertised Request for Qualifications and received five responses. All five responders were then mailed a Request for Proposal detailing the extent of work to be performed. Four responses were received to the Request for Proposal. The proposal from Com-Sec Incorporated was rejected as non-responsive as they did not visit the sites where security systems are required and gave a generic proposal which did not meet the City's requirements. The proposal from Duncan Security Consultants was rejected as non-responsive as they only submitted a proposal for 15 out of 28 remote sites which require security systems. The recommendation is to award the contract to ADT Security Services, Incorporated (San Diego, CA) the proposer who submitted the proposal which best meets the City requirements. The initial phase of the contract will be to install Security Systems at other at the Water Treatment Plants and a number of Pump Stations. Future phases will include the installation of Security Systems at other Pump Stations, Water Utility Facilities, and any other City Facilities in which Water Utilities has an interest. This will enable comprehensive security systems to be installed at each facility and which will be monitored from one location.

FISCAL IMPACT:

For Fiscal Year 2001, the estimated cost is \$4,300,000 including sales tax which is available in CIP-75-931.0, Water Department Security Upgrades. Additional funds will be made available in future fiscal years as additional sites are identified.

Belock/Stock/PK

Aud. Cert. 2100266.

FILE LOCATION: Purchase

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-101: Approving the Final Map of Chateau D'Mer.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-334) ADOPTED AS RESOLUTION R-293742

Approving the final map of Chateau D'Mer.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 0.1818 acre site into 1 lot for 12 residential condominium units. It is located east of Neptune Place on Bonair Street in the La Jolla Community Plan area. On September 30, 1999, the Planning Commission of the City of San Diego approved Tentative Map TM-99-0077 by Planning Commission Resolution No. 2850-PC for Chateau D' Mer. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. The public improvements required for this subdivision are shown in detail on a construction drawing. An Engineering Permit, Number W49130, has been issued for public improvements and the work has been completed. The survey monuments are in place therefore no monument bond is required. The community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits. Development on any property within this map shall pay fees as set by the City Council and in effect in the community at the time of building permit issuance. Fees will be paid at the time the building permit is issued.

FISCAL IMPACT:

None.

Loveland/Haase/RSV

FILE LOCATION: SUBD - Chateau D'Mer

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-102: Four actions related to the Final Subdivision Map of Greystone-Barone.

(Torrey Highlands Subarea IV Plan. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-312) ADOPTED AS RESOLUTION R-293743

Authorizing a Subdivision Improvement Agreement with Greystone Homes, Inc., for the installation and completion of public improvements.

Subitem-B: (R-2001-311) ADOPTED AS RESOLUTION R-293744

Approving the final map.

Subitem-C: (R-2001-313) ADOPTED AS RESOLUTION R-293745

Authorizing a Landscape Maintenance Agreement with Greystone Homes, Inc., for the installation and completion of public improvements.

Subitem-D: (R-2001-314) ADOPTED AS RESOLUTION R-293746

Accepting a grant deed of Greystone Homes, Inc. dated July 26, 2000, granting to the City a portion of Lot 3 of Olive Grove Tract recorded in Book 24, Page 297 M.R. for public street purposes and dedicating and naming the same Donaker Street.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 7.434 acre site into 26 lots for residential development. It is located south of Carmel Valley Road and west of La Harina Court in the Torrey Highlands Subarea IV Plan. On June 22, 1999 the Council of the City of San Diego approved City Council Resolution R-291819 for Greystone-Barone (Vesting TM-98-0405). The City Engineer has

approved the final map and states that all conditions of the Vesting Tentative Map have been satisfied. The public improvements required for this subdivision are shown in detail on Drawing Nos. 30255-1-D through 30255-22-D, filed in the Office of the City Clerk under Micro Number 140.39. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$965,259 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$5,000.00, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. This subdivision is located in the Torrey Highlands Subarea IV Plan which has a Public Facilities Financing Plan which establishes Development Impact Fees payable at the time of building permit issuance. Subdivider, by letter, has given assurance to the City of San Diego that he/she subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development". Subdivider shall enter into a Landscape Maintenance Agreement, agreeing to maintain all landscaping and appurtenances thereto within the City right-of-way adjacent to this subdivision, until another mechanism is established and assumes maintenance responsibility. The street dedication of Donaker Street as shown on Engineering Drawing No. 19172-B is a requirement of T.M. 98-0405 Condition 15, which requires an off-site cul-de-sac with a 60-foot right-of-way.

FISCAL IMPACT:

None.

Loveland/Haase/GB

FILE LOCATION: Subitems A, B & C: SUBD - Greystone-Barone (40);
Subitem D: DEED F-7848

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-103: Three actions related to the Final Subdivision Map of Sabre Springs Parcels 28, 29 and 30, Unit 2.

(Sabre Springs Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-340) ADOPTED AS RESOLUTION R-293747

Authorizing a Subdivision Improvement Agreement with Pardee Construction for the installation and completion of public improvements.

Subitem-B: (R-2001-339) ADOPTED AS RESOLUTION R-293748

Approving the final map.

Subitem-C: (R-2001-341) ADOPTED AS RESOLUTION R-293749

Authorizing a Landscape Maintenance Agreement with Pardee Construction for the installation and completion of public improvements.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 16.416 acre site into 99 lots for residential development. It is located north of Sabre Springs Parkway, east of Springhurst Drive and south of Poway Road in the Sabre Springs Community. On February 11, 1999 the Planning Commission of the City of San Diego approved Planning Commission Resolution No. 2762-PC for Sabre Springs Parcels 28, 29 and 30 Unit 2. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. The public improvements required for this subdivision are shown in detail on Drawing Nos. 30097-1-D through 30097-27-D, filed in the Office of the City Clerk under Micro Number 140.32. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$1,233,314 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$22,000, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. This subdivision is located within the Sabre Springs Community and is within a Public Facilities Financing Plan which provides for the payment of an assessment for public facilities. Subdivider, by letter, has given assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development. Subdivider shall enter into a Landscape Maintenance

Agreement agreeing to maintain all landscaping and appurtenances thereto within the City right-of-way adjacent to this subdivision, until another mechanism is established and assumes maintenance responsibility.

FISCAL IMPACT:

None.

Loveland/Haase/GPH

FILE LOCATION: Subitem A, B & C: SUBD-Sabre Springs Parcels 28, 29 and 30, Unit 2 (40)

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-104: Marlborough Drive Storm Drain Easement Exchange.

(Mid-City Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-250) ADOPTED AS RESOLUTION R-293750

Authorizing and approving the acceptance of the deed of Kevin T. Crikelair, executed in favor of the City of San Diego, bearing date of June 19, 2000, conveying to the City an easement over, under, upon, along and across real property located at 4927 Marlborough Drive;

Authorizing the City Manager to abandon the existing drainage easement at 4927 Marlborough Drive and execute a quitclaim deed, quitclaiming to Kevin T. Crikelair, all of the City's right, title and interest in the existing easement, as more particularly described in the quitclaim deed.

CITY MANAGER SUPPORTING INFORMATION:

The existing storm drain pipe, which runs diagonally across the lot, was installed in the 1920's. Sometime in the 1940's the house was built over the existing pipe, which is failing. Settlement of the house has occurred and been repaired. City staff proposes to obtain a new easement along the side of the house, install a new section of pipe in the new easement area to connect in the front and rear of the house, and abandon the existing easement area and pipe under the house. Separately, and as part of the construction project (CIP-005.0), the abandoned pipe will be slurry filled.

FISCAL IMPACT:

None with this action.

Loveland/Griffith/MFW

FILE LOCATION: DEED F-7849

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-105: West Linda Vista Trunk Sewer Phase II.

(Linda Vista Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-328 Cor. Copy) ADOPTED AS RESOLUTION R-293751

Authorizing the City Manager to purchase a 15-foot-wide sewer easement, as part of the West Linda Vista Trunk Sewer Phase II Project, for the nominal value of \$500, to replace and relocate the existing 10-foot-wide sewer easement on the owner's property;

Authorizing the expenditure of not to exceed \$500 as payment for property rights from CIP-46-199.0;

Approving the acceptance by the City Manager of that easement deed of Sandra L. Hull, conveying to the City an easement over, under, upon, along and across real property located at 6455 Goodwin Street;

Authorizing the City Manager to abandon a portion of the existing sewer easement on Lot 7 of Linda Vista Unit No. 5, according to the Map-3208, recorded on April 1, 1955, as File No. 43891, after the completion of the West Linda Vista Trunk Sewer Phase II Project.

CITY MANAGER SUPPORTING INFORMATION:

As a part of this project, the City is acquiring a 15-foot-wide sewer easement for a nominal value of \$500, to replace and relocate the existing 10-foot-wide sewer easement. As additional consideration for the new easement, the City proposes to vacate a portion of the existing sewer easement across this property upon the completion of construction for the project.

FISCAL IMPACT:

Expenditure of \$500 from CIP-46-199.0, West Linda Vista Trunk Sewer Phase II.

Loveland/Griffith/RAG

Aud. Cert. 2100207.

FILE LOCATION: DEED F-7850

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- * ITEM-106: C Street (from I-5 to 24th Street) and C Street (from 28th Street to 29th Street)
Underground Utility District.

(Greater Golden Hill Community Area. District- 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-278) ADOPTED AS RESOLUTION R-293752

Calling a public hearing to determine whether the public health, safety, or general welfare requires the formation of the C Street (from I-5 to 24th Street) and C Street (from 28th to 29th Street) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities", and will underground the overhead utility facilities in the C Street (from I-5 to 24th Street) and C Street (from 28th Street to 29th Street) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electrical service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$3,500 per electric service lateral. Reimbursements will also include the cost of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs for service box modifications range from \$300 - \$500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

FISCAL IMPACT:

SDG&E Cost: The construction cost of \$230,000 will be financed through the use of San Diego Gas and Electric Company's Annual Allocation Funds as directed by the Public Utilities Commission (Case 8209). The fiscal impact to the City is for the administration and street light replacement. Cost estimated at \$10,000. Funding is available in CIP-37-028.0, Undergrounding of City Utilities.

Belock/Boekamp/HR

Aud. Cert. 2100261.

FILE LOCATION: STRT-K-306 (38)

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-107: CCDC Area 1 - Phase II, Job 1, California Street (from West Beech Street to Olive Street) Underground Utility District.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-323) ADOPTED AS RESOLUTION R-293753

Calling a public hearing to determine whether the public health, safety, or general welfare requires the formation of the CCDC Area 1 - Phase II, Job 1, California Street (from West Beech Street to Olive Street) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities", and will underground the overhead utility facilities in the CCDC Area 1, Phase II, Job 1, California Street (from West Beech Street to Olive Street) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electrical service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$3,500 per electric service lateral. Reimbursements will also include the cost of modifications to the

electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs for service box modifications range from \$300 - \$500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

FISCAL IMPACT:

SDG&E Cost: The construction cost of \$1,200,000 will be financed through the use of San Diego Gas and Electric Company's Annual Allocation Funds as directed by the Public Utilities Commission (Case 8209). The fiscal impact to the City is for the administration and street light replacement. Cost estimated at \$1,000. Funding is available in CIP-37-028.0, Undergrounding of City Utilities.

Belock/Boekamp/HR

Aud. Cert. 2100242.

FILE LOCATION: STRT-K-311 (38)

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-108: Kelton Road (from Luber Street to Alvin Street) Underground Utility District.

(Emerald Hills Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-288) ADOPTED AS RESOLUTION R-293754

Calling a public hearing to determine whether the public health, safety, or general welfare requires the formation of the Kelton Road (from Luber Street to Alvin Street) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities", and will underground the overhead utility facilities in the Kelton Road (from Luber Street to Alvin Street) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electrical service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$3,500 per electric service lateral. Reimbursements will also include the cost of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs for service box modifications range from \$300 - \$500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

FISCAL IMPACT:

SDG&E Cost: The construction cost of \$367,000 will be financed through the use of San Diego Gas and Electric Company's Annual Allocation Funds as directed by the Public Utilities Commission (Case 8209). The fiscal impact to the City is for the administration and street light replacement. Cost estimated at \$1,000. Funding is available in CIP-37-028.0, Undergrounding of City Utilities.

Belock/Boekamp/HR

Aud. Cert. 2100239.

FILE LOCATION: STRT-K-310 (38)

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM 109: Ocean View Boulevard (from 29th Street to SR-15) Underground Utility District.

(Logan Heights and Memorial Community Areas. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-325) ADOPTED AS RESOLUTION R-293755

Designating October 30, 2000 as the date upon which all property in the Ocean View Boulevard (from 29th Street to SR-15) Underground Utility District must be ready to receive underground service and December 10, 2000 as the date for the removal of all overhead utility facilities;

Authorizing the City Auditor and Comptroller to open Fund 78128 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the Ocean View Boulevard (from 29th Street to SR-15) Underground Utility District;

Authorizing the City Treasurer to receive these funds from the San Diego Gas & Electric Company;

Authorizing payment to all qualified property owners in the Ocean View Boulevard (from 29th Street to SR-15) Underground Utility District as reimbursement for electrical service underground conversion work done on private property;

Authorizing the City Treasurer to return to SDG&E any undisbursed funds upon written notice from SDG&E to the City that all electrical service conversions within this particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION:

The Ocean View Boulevard (from 29th Street to SR-15) Underground Utility District was created by the City Council on September 13, 1994. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set October 30, 2000 as the Customer Ready Date, which will require that upon this date, all affected customers within the underground utility district must have their

services prepared to receive service from the new underground system. This action will also establish December 10, 2000 as the Pole Removal Date, which will require that upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench for electrical and conduit up to a maximum of \$3,500 per electric service lateral. Reimbursements will also include the costs of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs for service box modifications range from \$300 - \$500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

FISCAL IMPACT

The fiscal impact to the City is the Street Light replacement by SDG&E. Cost estimated at \$57,400.

Belock/Boekamp/HR

Aud Cert. 2100241.

FILE LOCATION: STRT-K-224 (38)

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- * ITEM 110: Skyline Drive (from Sychar Road to Gribble Street) Underground Utility District.
(Skyline Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-326) ADOPTED AS RESOLUTION R-293756

Designating October 6, 2000 as the date upon which all property in the Skyline Drive (from Sychar Road to Gribble Street) Underground Utility District must be ready to receive underground service and February 2, 2001 as the date for the removal of all overhead utility facilities;

Authorizing the City Auditor and Comptroller to open Fund 78116 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the Skyline Drive (from Sychar Road to Gribble Street) Underground Utility District;

Authorizing the City Treasurer to receive these funds from the San Diego Gas & Electric Company;

Authorizing payment to all qualified property owners in the Skyline Drive (from Sychar Drive to Gribble Street) Underground Utility District as reimbursement for electrical service underground conversion work done on private property;

Authorizing the City Treasurer to return to SDG&E any undisbursed funds upon written notice from SDG&E to the City that all electrical service conversions within this particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION:

The Skyline Drive (from Sychar Road to Gribble Street) Underground Utility District was created by the City Council on January 18, 2000. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set October 6, 2000 as the Customer Ready Date, which will require that upon this date, all affected customers within the underground utility district must have their services prepared to receive service from the new underground system. This action will also establish February 2, 2001 as the Pole Removal Date, which will require that upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-

sum reimbursement based upon the length of the electrical service trench for electrical and conduit up to a maximum \$3,500.00 per electric service lateral. Reimbursements will also include the costs of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs for service box modifications range from \$300 - \$500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

FISCAL IMPACT

The fiscal impact to the City is the Street Light replacement by SDG&E. Cost estimated at \$54,000.

Belock/Boekamp/HR

Aud. Cert. 2100240.

FILE LOCATION: STRT-K-267 (38)

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-111: Twain/50th/Orcutt (from Mission Gorge Road to Waring Road) Underground Utility District.

(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-286) ADOPTED AS RESOLUTION R-293757

Calling a public hearing to determine whether the public health, safety, or general welfare requires the formation of the Twain/50th/Orcutt (from Mission Gorge Road to Waring Road) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities", and will underground the overhead utility facilities in the Twain/50th/Orcutt (from Mission Gorge Road to Waring Road) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electrical service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$3,500 per electric service lateral.

Reimbursements will also include the cost of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs for service box modifications range from \$300 - \$500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

FISCAL IMPACT:

SDG&E Cost: The construction cost of \$385,000 will be financed through the use of San Diego Gas and Electric Company's Annual Allocation Funds as directed by the Public Utilities Commission (Case 8209). The fiscal impact to the City is for the administration and street light replacement. Cost estimated at \$1,000. Funding is available in CIP-37-028.0, Undergrounding of City Utilities.

Belock/Boekamp/HR

Aud. Cert. 2100262.

FILE LOCATION: STRT-K-309 (38)

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- * ITEM-112: Amending the Year 2000 Legislative Calendar for the San Diego City Council to Add Regular Council Meetings on November 20 and 21, 2000.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-276) ADOPTED AS RESOLUTION R-293758

Amending the schedule of meetings for the City Council and Standing Committees of the City Council for the period of January 1, 2000 through December 31, 2000 to add regular Council meetings on Monday and Tuesday, November 20 and 21, 2000.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- * ITEM-113: Amending the Legislative Calendar for the City of San Diego to add a Rules Committee Meeting at 10:00 a.m. on Monday, November 20, 2000.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-297) ADOPTED AS RESOLUTION R-293759

Amending the schedule of meetings for the City Council and Standing Committees of the City Council for the period of January 1, 2000 through December 31, 2000 to add a meeting of the Rules, Finance, and Intergovernmental Relations Committee on Monday, November 20, 2000 at 10:00 a.m., to be held in the Council Committee Room, 202 C Street, San Diego, California, 12th floor.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-114: Excusing Mayor Golding from the City Council Meeting of July 17, 2000.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-274) ADOPTED AS RESOLUTION R-293760

Excusing Mayor Susan Golding from attending the regularly scheduled Council meeting of July 17, 2000, due to illness.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-115: Excusing Councilmember Kehoe from the City Council Meetings of August 7 & August 8 and the Land Use & Housing and Natural Resources Committee meetings of August 9, 2000.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-254) ADOPTED AS RESOLUTION R-293761

Excusing Councilmember Kehoe from attending the regularly scheduled meetings:

1. Council meetings of August 7 and 8, 2000.
2. Land Use and Housing Committee meeting of August 9, 2000.
3. Natural Resources and Culture Committee meeting of August 9, 2000.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-116: Excusing Councilmember McCarty from the City Council Meeting of August 1, 2000.

COUNCILMEMBER McCARTY'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-257) ADOPTED AS RESOLUTION R-293762

Excusing Councilmember Judy McCarty from attending the regularly scheduled Council meeting of August 1, 2000, due to the birth of her grandson.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- * ITEM-117: Excusing Councilmember Vargas from the City Council Meetings of July 24, 2000, and July 25, 2000.

COUNCILMEMBER VARGAS'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-255) ADOPTED AS RESOLUTION R-293763

Excusing Councilmember Juan Vargas from attending the regularly scheduled Council meetings of July 24 and 25, 2000.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- * ITEM-118: Rev. Houston Burnside Jr. Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-293) ADOPTED AS RESOLUTION R-293764

Recognizing the commitment to community service that Rev. Houston Burnside, Jr. has shown throughout his 11 years of service to Metropolitan Community Church San Diego;

Proclaiming August 27, 2000 to be "Rev. Houston Burnside Jr. Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- * ITEM-119: Two actions related to congratulating Larry Lucchino and Nico Ferraro as “2000 JOHNS Labor Leader of the Year.”

COUNCILMEMBER KEHOE’S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-316) ADOPTED AS RESOLUTION R-293765

Declaring that the Council takes great pleasure in congratulating Larry Lucchino on his receipt of the 2000 JOHNS Fellowship Award in recognition of his outstanding record of contributions to the enhancement of the quality of life in San Diego and extends to him best wishes for continued success.

Subitem-B: (R-2001-315) ADOPTED AS RESOLUTION R-293766

Declaring that the Council takes great pleasure in congratulating Nico Ferraro on his receipt of the 2000 Labor Leader of the Year Award in recognition of his outstanding record of contributions to the enhancement of the quality of life in San Diego, and extends to him best wishes for continued success.

FILE LOCATION: Subitems A & B: AGENDA

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- * ITEM-120: Dr. Marie Myers Thornton Day.

COUNCILMEMBER STEVENS’S RECOMMENDATION:

Adopt the following resolution:

(R-2001-304) ADOPTED AS RESOLUTION R-293767

Commending Dr. Marie Myers Thornton for her unselfish ministry, dedication, and devotion to the entire City of San Diego;

Proclaiming August 27, 2000 to be “Dr. Marie Myers Thornton Day” in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-121: Reverend C. Dennis Williams Day.

COUNCILMEMBER STEVENS’S RECOMMENDATION:

Adopt the following resolution:

(R-2001-258) ADOPTED AS RESOLUTION R-293768

Commending Reverend C. Dennis Williams for his service and dedication to the City of San Diego;

Proclaiming August 19, 2000 to be “Reverend C. Dennis Williams Day” in San Diego in honor of his 25 years of service to the ministry.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-122: Lawsuit Abuse Awareness Week.

COUNCILMEMBER McCARTY'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-265) ADOPTED AS RESOLUTION R-293769

Proclaiming the week of September 18-22, 2000 as "Lawsuit Abuse Awareness Week" and commending San Diego County Citizens Against Lawsuit Abuse for its work in affecting positive change in the public's attitude and behavior towards jury service.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-123: Proclaiming September 16, 2000 to be "San Diego Rescue Mission Day" in the City of San Diego.

COUNCILMEMBER McCARTY'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-305) ADOPTED AS RESOLUTION R-293770

Proclaiming September 16, 2000 to be "San Diego Rescue Mission Day" in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-124: USS Nautilus (SSN 571) Day.

COUNCILMEMBER MATHIS'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-333) ADOPTED AS RESOLUTION R-293771

Recognizing the USS Nautilus (SSN 571) and all who served on board for their sacrifices and exceptional contributions to our nation;

Proclaiming September 30, 2000 to be "USS Nautilus (SSN 571) Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-125: Settlement of the Property Damage Claim of John Zvetina and Mary Zvetina.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-294 Cor. Copy) ADOPTED AS RESOLUTION R-293772

A Resolution approved by the City Council in Closed Session on Tuesday, August 15, 2000, by the following vote: Mathis-yea; Wear-not present;

Kehoe-not present; Stevens-yea; District 5-Vacant; Stallings-yea; McCarty-yea;
Vargas-not present; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$236,631.06 in the settlement of each and every claim against the City, its agents and employees, in Superior Court Case No. GIC 737436, John Zvetina, et al. v. City of San Diego, in full settlement of the lawsuit and of all claims;

Authorizing the City Auditor and Comptroller to issue a check in the amount of \$165,000 made payable to John Zvetina, Mary Zvetina, and their attorney of record, Jeffrey E. Estes, Esq. and a second check in the amount of \$71,631.06 made payable to Luth & Turley, Inc.;

Authorizing the expenditure of \$13,157.47 previously paid to John and Mary Zvetina for emergency housing and plumbing bills;

Declaring that said funds are to be payable from Fund No. 81140, Public Liability Reserve Fund.

CITY MANAGER SUPPORTING INFORMATION:

This constitutes the complete and final settlement of the property damage claim of John Zvetina and Mary Zvetina against the City of San Diego, its agents and employees, as a result of an incident which occurred on January 16, 1999.

Herring/Oliva/JE

Aud. Cert. 2100056.

NOTE: The Auditor's Certificate was not requested prior to Closed Session. The vote taken in Open Session shall be the official vote.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- * ITEM-126: Settlement of Personal Injuries Claims of Rosario Chavez-Lopez, et al. v. United States of America, et al.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-301) ADOPTED AS RESOLUTION R-293773

A Resolution approved by the City Council in Closed Session on Tuesday, August 15, 2000, by the following vote: Mathis-yea; Wear-not present; Kehoe-yea; Stevens-yea; District 5-vacant; Stallings-yea; McCarty-yea; Vargas-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$200,000 in the settlement of each and every claim against the City of San Diego, its agents and employees, in United States District Court Case No. 99cv0523-J (POR), Rosario Chavez-Lopez, et al. v. United States of America, et al. resulting from the personal injuries of Rosario Chavez-Lopez, et al.;

Authorizing the City Auditor and Comptroller to issue one check in the amount of \$200,000, made payable to Rosario Chavez-Lopez, Laureano Chavez, Ana Lilia Chavez, Marisol Chavez, Claudia Lopez, by and through her Guardian Ad Litem, Esperanza Escamilla, and their attorneys of record, Raymond Buendia and Alejandro Matuk, in full settlement of the lawsuit and of all claims;

Declaring that the funds are to be payable from Fund No. 81140, Public Liability Reserve Fund.

CITY MANAGER SUPPORTING INFORMATION:

This constitutes the complete and final settlement of the personal injury claim of Rosario Chavez Lopez, et al. against the City of San Diego, its agents and employees, as a result of an incident which occurred on December 16, 1996.

Herring/Oliva/SF

Aud. Cert. 2100202.

NOTE: The Auditor's Certificate was not requested prior to Closed Session. The vote taken in Open Session shall be the official vote.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-127: Participation Agreement for the Design and Construction of the Water Main at 11388 Sorrento Valley Road.

(Torrey Pines Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-259) ADOPTED AS RESOLUTION R-293774

Authorizing the City Manager to enter into an agreement with B.C. Sorrento, LLC for the design and construction of the water main improvements at 11388 Sorrento Valley Road;

Authorizing the expenditure of an amount not to exceed \$28,817 from Fund No. 41500, Department No. 760, Org. No. 391040, CIP-73-083.0, Annual Allocation - Water Main Replacements.

CITY MANAGER SUPPORTING INFORMATION:

The Developer of a project located at 13888 Sorrento Valley Road proposes to make certain improvements to the public water system in the City of San Diego. The Developer proposes to replace 381 linear feet of dilapidated 12-inch cast iron water main, located above ground in a water easement within the boundaries of his project site. Presently, the City of San Diego's Cast Iron Water Main Replacement Program provides for Capital Improvement Program projects which identify and fund necessary cast iron water main replacements. Since the subject water main material is cast iron, it falls within the parameters of this Program. By replacing the cast

iron water main now, with the help of the Developer, the City and the Developer will both benefit by participating fifty-fifty in the replacement and realignment of this cast iron water main. The City will benefit by saving 50% of the cost of the project. Construction of the new 12-inch PVC water main will be expedited by entering into a participation agreement allowing the Developer to construct the needed water facilities per City Drawing No. 29819-1-6-D. City participation will be 50% of the actual costs incurred by the Developer in the construction of the water facilities, not to exceed the maximum cost of \$28,817. Staff recommends reimbursement of \$28,817 to the Developer, provided the work is completed to the satisfaction of the City Engineer and the Water Department's Water Operations Division, and that the total reimbursement to the Developer will not exceed \$28,817.

FISCAL IMPACT:

The total estimated cost of this project is \$57,634. Funding is available for this project in Water Fund 41500, CIP-73-083.0, Annual Allocation - Water Main Replacements.

Loveland/Christiansen/SM

Aud. Cert. 2100164.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-128: Participation Agreement for the Construction of the Water Mains in Arroyo Sorrento Road, Arroyo Sorrento Place, Tierra del Sur and Via Del Mar.

(Sorrento Hills/Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-338) ADOPTED AS RESOLUTION R-293775

Authorizing the City Manager to enter into an agreement with Torrey Pines Homebuilding Company for the construction of the water main improvements in Arroyo Sorrento Road, Arroyo Sorrento Place, Tierra del Sur and Via del Mar;

Authorizing the Auditor and Comptroller to expend funds in the amount of \$992,356 from Water Fund 41500, CIP-73-083.0, Annual Allocation for Water Main Replacements;

Declaring that the Developer shall be reimbursed in an amount not exceeding \$737,356, provided the work is completed to the satisfaction of the City Engineer and the Water Department's Water Operations Division;

Stating for the record that the final Addendum to a Mitigated Negative Declaration has been reviewed and considered prior to approving the project;

Certifying that the information contained in LDR File No. LDR-40-0435 has been completed in compliance with the California Environmental Quality Act and State CEQA Guidelines, and said Addendum to a Mitigated Negative Declaration reflects the independent judgement of the City of San Diego as Lead Agency;

Adopting the Mitigation, Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

Pursuant to an approved Capital Improvement Project, the City of San Diego is obligated to design and construct water facilities in Arroyo Sorrento Road, Arroyo Sorrento Place, Tierra del Sur and Via del Mar. The conditions of approval of Vesting Tentative Map No. 96-7573 require the Developer to improve Arroyo Sorrento Road from the existing improvements, just east of its intersection with El Camino Real, easterly to the existing terminus of unimproved Arroyo Sorrento Road. The City of San Diego has completed the design of the water facilities and has determined that construction of the water facilities will be expedited by entering into a participation agreement allowing the Developer to construct the required water facilities per City Drawing No. 29132-D. City participation will be 100 percent of the actual costs incurred by the Developer in the construction of the water facilities, not to exceed the Maximum Cost of \$737,356. Construction of the water facilities will benefit the City and additionally, will provide water infrastructure for future customers in the Sorrento Hills and Carmel Valley Community Planning Areas. Staff recommends reimbursement of \$737,356.00 to the Developer, provided that the work is completed to the satisfaction of the City Engineer and the Water Department's Water Operations Division and that the total reimbursement to the Developer will not exceed \$737,356.

FISCAL IMPACT:

The total Estimated Cost of this project is \$992,356. Of this amount, \$205,000 is for engineering and field inspection services, \$692,709 is for construction, \$50,000 is for City forces work, and \$44,647 is designated for contingencies and related costs. Funding is available for this project in Water Fund 41500, CIP-73-083.0, Annual Allocation - Water Main Replacements.

Loveland/Christiansen/SM

Aud. Cert. 2100257.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-129: Funding for Camino De La Reina Bikeway.

(Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-216) ADOPTED AS RESOLUTION R-293776

Authorizing the City Manager to accept and expend a total of \$147,080 in private contributions for the design and construction of San Diego River Bicycle Path (Camino De La Reina Segment);

Authorizing the appropriation and expenditure of \$147,080 from CIP-58-142.0 (San Diego River Bicycle Path, Camino De La Reina Segment), Fund 63022 (Private and Other Contributions-CIP).

CITY MANAGER SUPPORTING INFORMATION:

This action will authorize the City Manager to accept and expend a total of \$147,080 in private contributions for the design and construction of San Diego River Bicycle Path (Camino De La Reina segment) from CIP-58-142.0. \$100,000 of these private funds was collected through the Fashion Valley Center Parking Lot Expansion permit and \$47,080 through the River Scene Development permit. In addition to the \$147,080 in private funds, Camino De La Reina Bikeway has \$37,000 in TransNet funds awarded by SANDAG in FY 1999. The Camino De La Reina segment of the San Diego River Bike Path consists of the design and construction of approximately 830 feet of Class I bike path under SR-163 along Camino De La Reina between Camino De La Siesta and Avenida Del Rio.

FISCAL IMPACT:

\$147,800 will be appropriated and expended from CIP-58-142.0 (Funding for Camino De La Reina Bikeway), Fund 63022 (Private and Other Contributions - CIP).

Belock/Gonzalez/AH

Aud. Cert. 2100120.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-130: Funding for Three Bikeway Projects.

(Mission Bay Park, Pacific Beach, Linda Vista, Mission Valley and Navajo Community Areas. Districts-2, 6 & 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-229) ADOPTED AS RESOLUTION R-293777

Authorizing the City Manager to apply for, accept, and expend a total of \$198,000 in Transportation Development Act (TDA) and Local Transportation Fund (LTF) funds, and \$290,000 in TransNet Bikeway Funds, for three bikeway projects: (1) Friars Road/Pacific Highway Bicycle Path; (2) Rose Creek Bikeway; and (3) Qualcomm Stadium/Zion Avenue Bikeway Study;

Approving the additions of CIP-58-150.0 (Friars Road/Pacific Highway Bicycle Path), CIP-58-147.0 (Rose Creek Bikeway), and CIP-58-146.0 (Qualcomm Stadium/Zion Avenue Bikeway Study) to the FY 2001 Capital Improvements Program;

Approving the appropriation and expenditure of \$198,000 from CIP-58-150.0 (Friars Road/Pacific Highway Bicycle Path) Fund No. 390064 to design and construct a bicycle path connecting Friars Road to Pacific Highway;

Approving the appropriation and expenditure of \$250,000 from CIP-58-147.0 (Rose Creek Bikeway) Fund No. 30301 to design and construct a bicycle bridge across Rose Creek and continue westerly with a paved Class I Bike Path in City-owned right-of-way to connect to Pacific Beach Drive. The total amount awarded for this project by SANDAG is \$1 million to be paid over four years; therefore, the remaining \$750,000 will be paid to the City over the three following years (FY's 02, 03 and 04);

Approving the appropriation and expenditure of \$40,000 from CIP-58-146.0 (Qualcomm Stadium/Zion Avenue Bikeway Study) Fund No. 30301 to conduct a feasibility study for a bikeway between the Stadium and Zion Avenue.

CITY MANAGER SUPPORTING INFORMATION:

This action will authorize the City Manager to accept and expend a total of \$198,000 in TDA/LTF funds and \$290,000 in TransNet Bikeway Funds from SANDAG for three bikeway projects:

1. \$198,000 from CIP-58-150.0 (Friars Road/Pacific Highway Bicycle Path) to design and construct a bicycle path connecting Friars Road to Pacific Highway. The application for funding for this project was approved per Resolution R-293037 and City Manager's Report CMR-00-85.

2. \$250,000 from CIP-58-147.0 (Rose Creek Bikeway) to design and construct a bicycle bridge across Rose Creek and continue westerly with a paved Class I Bike Path in City-owned right-of-way to connect to Pacific Beach Drive. The application for funding for this project was approved per Resolution R-293037 and Manager's Report CMR-00-85. The total amount awarded for this project by SANDAG is \$1,000,000 to be paid over four years. Therefore, the remaining \$750,000 will be paid to the City over the three following years (FY's 02, 03, and 04).

3. \$40,000 from CIP-58-146.0 (Qualcomm Stadium/Zion Avenue Bikeway Study) to conduct a feasibility study for a bikeway between the Stadium and Zion Avenue. The application for funding for this project was approved per Resolution R-293037 and Manager's Report CMR-00-85.

FISCAL IMPACT:

Adding and expending a total of \$198,000 in TDA/LTF Funds (Fund 390064) from CIP-58-150.0, and a total amount of \$290,000 in TransNet Bikeway Funds (Fund 30301) from CIP-58-147.0 and CIP-58-146.0.

Belock/Gonzalez/AH

Aud. Cert. 2100146.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-131: Angle Parking on Eastgate Mall.

(University Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-260) ADOPTED AS RESOLUTION R-293778

Approving angle parking on the north side of Eastgate Mall between Regents Road and Genesee Avenue, pursuant to San Diego Municipal Code Section 86.03;

Authorizing the installation of the necessary signs and markings; the regulations imposed shall become effective upon the installation of such signs.

CITY MANAGER SUPPORTING INFORMATION:

This action permits angle parking on the north side of Eastgate Mall between Regents Road and Genesee Avenue. Currently, there is parallel parking in this segment. This action will provide 10 additional parking spaces. Council approval is required, according to Municipal Code Section 86.03. The property owner representing 100% of the abutting frontage has submitted a petition supporting the action. The University Community Planning Group supports this action.

FISCAL IMPACT:

Fiscal impact is minimal. Funds are budgeted within the Transportation Department, Street Division's operating fund for this purpose.

Belock/Gonzalez/AH

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-132: Agreement with Hirsch & Company Consulting Engineers for Reclaimed Water Extension Pipelines.

(University, Mira Mesa Community Areas. Districts-1 and 5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-261) ADOPTED AS RESOLUTION R-293779

Authorizing the execution of an agreement with Hirsch & Company to provide design and construction support services for the Reclaimed Water Extension Pipeline Project;

Authorizing the expenditure of an amount not to exceed \$87,799 from Water Revenue Fund 41500, Annual Allocation Reclaimed Water Extensions, CIP-70-949.0, for the purpose of executing this agreement and for related in-house engineering costs;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

The Reclaimed Waterline Extensions project is a City of San Diego Water Department, Capital Improvements Program (CIP) Project consisting of a system of pipelines that will convey recycled water to the University/Mira Mesa communities for non-potable uses. These particular extension pipelines are part of an overall City-wide reclaimed water extension program that was outlined by the Environmental Protection Agency (EPA) in the Title II Clean Water Act grant agreement for the North City Water Reclamation Plant (NCWRP). As part of this grant agreement, conditions were established requiring the beneficial reuse of 25 percent of the flows treated at the NCWRP by the end of the 2003 calendar year and the beneficial reuse of 50 percent of the flows treated at the NCWRP by the end of the 2010 calendar year. Construction of these extension pipelines will aid in meeting these EPA mandated conditions. Implementation of the Reclaimed Waterline Extension and Water for Industry project will provide recycled water to the northern portion of the City of San Diego and expand the already existing reclaimed water system. These extensions will provide non-potable water for irrigation and purposes which will alleviate some of the demands made on the potable water system. The City's As-Needed Consultant process was used in order to interview the most qualified consultants. Six firms were interviewed and the process resulted in Hirsch & Company Consulting Engineers as the most qualified firm.

FISCAL IMPACT:

Funding for the engineering consultant and related in-house engineering costs is available from Water Fund 41500, CIP-70-949.0, Annual Allocation Reclaimed Water Extensions.

Belock/Gardner/NXX

Aud. Cert. 2100265.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-nay, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-133: Office Space Lease - Hispanic Chamber of Commerce.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-179 Cor. Copy) ADOPTED AS RESOLUTION R-293780

Authorizing the City Manager to execute the lease with the Hispanic Chamber of Commerce for a leasehold area of 1,734 square feet, at the base rent of \$1,127.10 per month.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego County Hispanic Chamber of Commerce has been leasing space from the City in the World Trade Center Building, located at 1250 Sixth Avenue since June 1, 1995. The tenant is currently located on the 9th floor and is expanding and relocating to the 5th floor, suite 550. Their square footage is being increased from 376 square feet to 1,734 square feet.

The tenant will be leasing the space under the following basic terms:

TERM - One (1) year commencing June 1, 2000 and terminating May 31, 2001. Tenant has the option to extend the lease for two (2) additional one (1) year periods.

RENT - \$1,127. 10 per month. Rent increases 5% with each one year extension.

USE - General office usage

SIZE - 1,734 square feet

FISCAL IMPACT:

\$13,525.20 will be paid to the General Fund 100 for the initial one (1) year term of the lease.

Loveland/Griffith/DLM/DCM

FILE LOCATION: LEAS-Hispanic Chamber of Commerce

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-134: Agreement with the State Board of Control, Revenue Recovery and Compliance Branch, State of California.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-238) ADOPTED AS RESOLUTION R-293781

Authorizing the City Attorney to execute an agreement with the State of California Board of Control, for the purpose of working with the City Criminal Justice system to ensure restitution of fines and orders are properly administered in accordance with applicable statutes.

SUPPORTING INFORMATION:

The City Attorney has been notified by the State Board of Control that the City has been awarded a grant in an amount not to exceed \$62,381 to hire a Legal Assistant to perform the duties outlined in the City Attorney Contract. This grant is for the period July 1, 2000 through June 30, 2001 and is a continuation of a grant authorized and accepted by the City Council on September 14, 1999 by Resolution No. RR-292132.

Devaney/Swett

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-135: Reappointments to the Board of Building Appeals and Advisors.

(See memorandum from Mayor Golding dated 8/17/2000.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-303) ADOPTED AS RESOLUTION R-293782

Confirming the following reappointments by the Mayor to serve as members of the Board of Building Appeals and Advisors, in categories as indicated, for terms ending March 1, 2002:

Arturo M. Castro (Architect)
Scot Deal (Fire Protection Engineer)
Richard G. Grabhorn (Civil Engineer)
Jean Marie Libby (Civil Engineer)
Dinish K. Patel (Fire Protection Engineer)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-136: Eleven actions related to Authorizing Suggestion Awards to City Employees.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-196) ADOPTED AS RESOLUTION R-293783

Ken Brassard - Metropolitan Wastewater - \$4,615.11

Subitem-B: (R-2001-197) ADOPTED AS RESOLUTION R-293784

Danny T. Blake - Police Department - \$2,500

Subitem-C: (R-2001-198) ADOPTED AS RESOLUTION R-293785

Dennis R. Davis - Information Technology and Communications - \$711.03

Subitem-D: (R-2001-199) ADOPTED AS RESOLUTION R-293786

Pamela J. Koleber - Library Department - \$5,000.

Subitem-E: (R-2001-200) ADOPTED AS RESOLUTION R-293787

William Long - Park and Recreation Department - \$618.62

Subitem-F: (R-2001-201 Cor. Copy) ADOPTED AS RESOLUTION R-293788

William Long - Park and Recreation Department - \$2,500.

Subitem-G: (R-2001-202) ADOPTED AS RESOLUTION R-293789

Dennis Smith - Metropolitan Wastewater Department - \$500.

Subitem-H: (R-2001-203) ADOPTED AS RESOLUTION R-293790

Pamela Galan - Treasurer's Department - \$57.94

Bret A. Castell - Library Department - \$45.

Subitem-I: (R-2001-204) ADOPTED AS RESOLUTION R-293791

Rachel C. Kuyper - Library Department - \$320.

Paul V. Vandeveld - Fire Department - \$25.

Subitem-J: (R-2001-205) ADOPTED AS RESOLUTION R-293792

Gunnar Granquist - Lifeguards - \$80.

Raquel E. Rodgers - City Clerk's Office - \$226.86

Subitem-K: (R-2001-206) ADOPTED AS RESOLUTION R-293793

Linda B. Moskovics - Library Department - \$320.

Bruce Hoover - Metropolitan Wastewater - \$58.48

FILE LOCATION: Subitems A-K: MEET

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-137: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(District-8.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2001-263) ADOPTED AS RESOLUTION R-293794

Declaring a Continued State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico.

FILE LOCATION: GEN'L-State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-150: Amending Council Policy 000-18 Regarding the Sister City Program for the City of San Diego.

(See letter from San Diego International Sister Cities Corporation dated 6/10/99.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2001-296) ADOPTED AS RESOLUTION R-293795

Amending Council Policy No. 000-18 titled, "Sister City Program," to update the significant changes in the San Diego International Sister Cities Corporation Program.

RULES, FINANCE AND INTERGOVERNMENTAL RELATIONS COMMITTEE'S RECOMMENDATION:

On 6/21/99, RULES voted 4-0 to approve the recommended changes to Council Policy 000-18. (Councilmembers Mathis, Wear, Warden, and Vargas voted yea. Mayor Golding not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B300-490.)

MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-151: Assembly Bill (AB) 2928 - Street and Road Maintenance, Rehabilitation, and Reconstruction Funding Allocations.

(See memorandum from Councilmembers Kehoe and Stevens dated 7/19/2000; memorandum from Frank Belock, Jr., dated 7/11/2000; Sandi Buehner's 7/19/2000 letter; Frieda L. Levinsky's 7/17/2000 letter; presentation of Larry S. Westfall; Reynaldo Pisano's letter.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2001-295) ADOPTED AS AMENDED AS RESOLUTION R-293796

Approving the list of proposed projects for \$9.1 million TransNet Funding (AB 2928) included in the memorandum dated July 19, 2000 to Chairman Byron Wear and Honorable Members of the Land Use and Housing Committee from Councilmembers Christine Kehoe and George Stevens;

Declaring that the \$1 million allotted for sidewalks is to be expended according to the following breakdown: \$300,000 to the 50/50 program; \$200,000 for the Americans with Disabilities (ADA) ramp backlog; and \$500,000 for sidewalk repair.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 7/19/2000 LU&H voted 5-0 to approve the projects outlined in Councilmembers Kehoe and Stevens's July 19, 2000 memo. In addition, the \$1,000,000 allotted for sidewalks is to be expended according to the following breakdown: \$300,000 to the 50/50 program; \$200,000 for

the Americans with Disabilities Act (ADA) ramp backlog; \$500,000 for sidewalk repair. (Councilmembers Wear, Kehoe, Stevens, Warden and McCarty voted yea.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B300-490.)

MOTION BY WEAR TO ADOPT THE RESOLUTION TO REFLECT THE FOLLOWING: 1) ALLOCATE THE \$300,000 BEING TRANSFERRED FROM THE 8TH AVENUE STORM DRAIN PROJECT FOR THE TWO TRAFFIC LIGHTS IN COUNCIL DISTRICT 4; 2) IN COUNCIL DISTRICT 3, CHANGE THE TRAFFIC SIGNAL THAT WAS INCORRECTLY IDENTIFIED AT 28TH STREET AND REDWOOD TO RECONFIGURE THE AREA TO ADD STOP SIGNS AT 28TH AND REDWOOD AT PERSHING; AND 3) ADD A ONE-TIME ALLOCATION FOR WATERING THE TREES THAT THE CITY PLANTS TO ALLOW THE ESTABLISHMENT OF THE TREES. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200: Amending Ordinance O-18806 to Create Six New Classifications.

(See Report from the Personnel Director dated 8/1/2000.)

PERSONNEL DIRECTOR'S RECOMMENDATION:

Introduce the following ordinance:

(O-2001-30) INTRODUCED, TO BE ADOPTED ON OCTOBER 2, 2000

Introduction of an Ordinance amending Ordinance O-18806 (New Series), entitled "An Ordinance Establishing a Schedule of Compensation for Officers and Employees of the City of San Diego for the Fiscal Year 2000-01 " by amending Exhibit B thereto to create and add the new Classes of "Water Systems Technician I", "Water Systems Technician II", "Water Systems Technician III", "Water Systems Technician IV", "Water Systems Technician Supervisor", and "Water Systems District Manager" in the Construction and Maintenance Occupation Group; amending Exhibits A-1 and A-2 of said Ordinance to provide new salary rates for said positions in the Classified Service, as set forth in

Attachments A-1 and A-2 thereto; amending Resolution R-293143 to place the "Water Systems Technician I", "Water Systems Technician II" and "Water Systems Technician III" positions in the Maintenance, Labor, Skilled Trades and Equipment Operator Unit; to place the "Water Systems Technician IV" position in the Municipal Employees' Union (MEA)-Technical Unit; to place the "Water Systems Technician Supervisor", and "Water Systems District Manager" in the Municipal Employees' Union (MEA)-Supervisory Unit; and by amending Resolution R-293142 to approve and declare the above newly created Classes as eligible for premium rate overtime by placing the Classes in Group A of the Addendum to Personnel Manual Section H-4, entitled "Overtime."

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B300-490.)

MOTION BY WEAR TO INTRODUCE THE ORDINANCE. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201: Charter Amendment Petition to amend the San Diego City Charter regarding General Taxes (The San Diego Taxpayers Protection Act of 2000).

(See City Clerk Report CC-00-06.)

CITY CLERK'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-132) ADOPTED AS RESOLUTION R-293814 WITH DIRECTIONS

Accepting the City Clerk's certification and directing the City Attorney to prepare an ordinance calling a Special Election to place the Charter amendment measure on the ballot as set forth in Municipal Code Section 27.1037.

CITY CLERK SUPPORTING INFORMATION:

On June 29, 2000, proponents of "The San Diego Taxpayer Protection Act of 2000" filed with the City Clerk's Office a charter amendment petition regarding general taxes. The petition was

filed within the prescribed time period of 200 days following the date of publication of a notice of intent to circulate the petition. On August 11, 2000, the Registrar of Voters completed the full petition signature verification. The petition was found to contain the valid signatures of over fifteen percent of the City's registered voters as required by the State Election Code for direct submission to the voters.

Council may direct the City Attorney to prepare an ordinance placing the measure on the ballot at a special municipal election consolidated with the next general statewide election on March 5, 2002, or alternately, on the ballot of any special election called prior to that date at which all of the qualified voters of the City may vote on the matter.

Abdelnour

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C007-064.)

MOTION BY STALLINGS TO ADOPT WITH DIRECTION TO PLACE THE CHARTER AMENDMENT ON THE NEXT CITY-WIDE ELECTION TO BE HELD IN MARCH 2002. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-not present.

ITEM-202: Proposed Amendments to the Campaign Control Ordinance, Chapter 2, Article 7, Division 29 of the San Diego Municipal Code.

(See City Clerk Report CC-00-04 Rev.)

CITY CLERK'S RECOMMENDATION:

Introduce and adopt the following ordinance:

(O-2001-28) INTRODUCED AND ADOPTED AS ORDINANCE O-18846
(New Series)

Introduction and adoption of an Ordinance amending Chapter II, Article 7, Division 29, of the San Diego Municipal Code by amending Sections 27.2901, 27.2902, 27.2903, 27.2904, 27.2905, 27.2911, 27.2912, 27.2921, 27.2922, 27.2923, 27.2924 and 27.2925; by repealing the subdivision titles of Sections

27.2926, 27.2927, 27.2928, and 27.2929; by amending Section 27.2931; by repealing the subdivision titles of Sections 27.2932, 27.2933, 27.2934, 27.2935, 27.2936, 27.2973, and 27.2938; by amending Sections 27.2940 and 27.2941; by repealing the subdivision title and text of Section 27.2942; by amending Sections 27.2943, 27.2944, 27.2945, 27.2946, 27.2947, 27.2948, 27.2949, 27.2950, 27.2951, 27.2952, 27.2954, 27.2961, 27.2963 and 27.2971; by repealing the subdivision title of Section 27.2972; by amending Sections 27.2973 and 27.2974; and by repealing Section 27.2975; all relating to the Election Campaign Control Ordinance, to update the ordinance, provide further clarification, and enable candidates and campaign treasurers to comply more easily with it.

NOTE: At the Council meeting of November 22, 1999, during discussion of Item 150, the City Clerk was directed to come back to Council after the March election with housekeeping amendments to the Campaign Control Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B300-490.)

MOTION BY WEAR TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-Vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-203: Accepting the gift of the sculpture, "Flame of Friendship," by the renown Mexican artist, Maestro Leonardo Nierman, from the People of Mexico as a symbol of International Goodwill.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-343) ADOPTED AS RESOLUTION R-293797

Declaring that the City graciously accepts the gift of the sculpture, "Flame of Friendship," by the artist Maestro Leonardo Nierman, from the people of Mexico;

Directing the City Manager to take all steps necessary to accept this gift and place it in an appropriate location for the enjoyment of the people of the City of San Diego, including but not limited to the following:

1. Coordinate with the Mexican Consulate in San Diego and make arrangements for the delivery of the sculpture to the City of San Diego and have it appropriately and safely stored pending the final placement and construction of the necessary support for the sculpture;
2. Negotiate with the San Diego Unified Port District and other entities as necessary (which may include the San Diego Convention Center Corporation or private donors willing to contribute to the cost of installation) in an effort to reach agreement as to: (a) the placement of the sculpture in an appropriate place along the San Diego bayfront within the City of San Diego, (b) the allocation of operational responsibility for the storage of the sculpture, fabrication of a pedestal and plaques honoring the artist, the people of Mexico, and any other donors contributing to this effort, and the installation and maintenance of the sculpture, the pedestal and plaques, and (c) the allocation of responsibility for the cost of such storage, fabrication, installation and maintenance; and
3. If agreements with the Port District and other entities (as necessary) are reached, to take all steps and enter into all contracts necessary to install the sculpture in the agreed-upon location.

If the City Manager is unable to reach agreement with the Port District with respect to all of the foregoing, he is directed in the alternative to identify an appropriate location elsewhere within the City of San Diego for the placement of the sculpture, and to do all things necessary to cause the fabrication and installation of the pedestal, sculpture, and appropriate plaques, and to provide for its maintenance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B300-490.)

MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-Vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-204: City of San Diego Community Facilities District No. 2 (Santaluz).

(Portions of Subareas I and IV of the Future Urbanizing Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-251) ADOPTED AS RESOLUTION R-293798

The Council of the City of San Diego acting as the Legislative body of Community Facilities District No. 2 (Santaluz) authorizes the issuance of its Improvement Area No. 1 Special Tax Bonds Series A of 2000 in a principal amount not to exceed Sixty-Two Million Two Hundred Thousand Dollars (\$62,200,000) and its Improvement Area No. 3 Special Tax Bonds Series B of 2000 in a principal amount not to exceed Four Million Eight Hundred Thousand Dollars (\$4,800,000) and approving certain documents and taking certain other actions in connection therewith.

CITY MANAGER SUPPORTING INFORMATION:

On February 8, 2000, City Council adopted Resolution Numbers R-292753 and R-292754, which declared Council's intention to establish Community Facilities District No. 2 (Santaluz), authorized the levy of special taxes to pay the costs of acquiring or constructing certain public facilities, authorized payment of debt service on bonded indebtedness, and declared the City's intention to incur bonded indebtedness within CFD No. 2 (Santaluz). Pursuant to a noticed hearing, on March 14, 2000, Council adopted Resolution Numbers R-292868, R-292869 and R-292870 which formally established the Community Facilities District, declared the necessity to incur bonded indebtedness, and certified the affirmative result of a special election among the landowners to approve the levy of special taxes and issuance of bonds. In addition, on April 10, 2000, Council adopted Ordinance Number O-18788, authorizing the levy of a special tax within CFD No. 2. Today's action will:

1. Authorize the issuance of not to exceed \$62,200,000 Improvement Area No. 1 Special Tax Bonds Series A of 2000 and \$4,800,000 Improvement Area No. 3 Special Tax Bonds Series B of 2000 to finance the acquisition of certain public facilities by Community Facilities District No. 2 (Santaluz).

2. Approve the form of a Preliminary Official Statement, and approve the forms of and authorize the execution and delivery of a Bond Indenture, Bond Purchase Agreement, Continuing Disclosure Agreement, and the preparation of a Final Official Statement for each series of bonds.
3. Authorize the City Manager or his designee to do any and all things necessary to execute and deliver documents and take such other actions to accomplish the issuance, sale and delivery of the bonds.

FISCAL IMPACT:

None. All costs related to determining financial feasibility of the proposed CFD, including financial advisory services, legal counsel, special tax consulting, appraisal services, and City staff have been funded by the property owners within the district. All costs related to financing the improvements and all incidental expenses related to forming the district, issuing bonds, and administering the CFD will be borne by the district.

Frazier/Vattimo/CW

FILE LOCATION: STRT-CF-2 (58)

COUNCIL ACTION: (Tape location: B300-490.)

MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-Vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-205: Allocating \$10,000 from the Police Department's General Fund for information leading to arrest(s) in the NCFUA Hate Crime.

(Continued from the meeting of 7/31/2000, Item S400, by common consent for full Council.)

(Continued from the meeting of 7/24/2000, Item S403, at the request of the Mayor as a courtesy to Councilmember Vargas, to allow him to be present.)

(Trailed as Unfinished Business from the meeting of July 18, 2000, Item S500, due to a 4 to 4 vote.)

TODAY'S ACTION IS :

Adoption of the following resolution:

(R-2001-150) FAILED

Allocating the amount of \$10,000 from the San Diego Police Department's General Fund as a reward for information leading to arrests in the NCFUA hate crime;

Declaring that the amount of \$10,000 is to be distributed in the same manner as the Crime Stoppers reward being offered for the same incident.

NOTE: On 7/24/2000, this matter was trailed per the following vote: Councilmembers Wear, Kehoe, Warden and Vargas voted yea. Councilmembers Mathis, Stevens, Stallings and McCarty voted nay. Mayor Golding not present.

On 7/31/2000, Council voted as follows:
Councilmembers Wear, Warden, Vargas, and Mayor Golding voted yea. Councilmembers Mathis, Kehoe, Stevens, and Stallings voted nay. Councilmember McCarty not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F212-298.)

MOTION BY VARGAS TO ADOPT. Second by Wear. Failed by the following vote: Mathis-nay, Wear-yea, Kehoe-nay, Stevens-nay, District 5-vacant, Stallings-nay, McCarty-nay, Vargas-yea, Mayor Golding-yea.

ITEM-206: Becky's House Shelter Donation Fund - Agreement with the Housing Commission.

(Districts-5 and 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1035) CONTINUED TO NOVEMBER 20, 2000

Authorizing the City Manager to execute an agreement with the San Diego County Housing Commission and/or nonprofit service provider(s), for construction and operation of Becky's House, provided that the City Auditor and Comptroller first furnishes one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit in Becky's House Fund No. 10591.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego and FM Radio Station STAR 100.7 have worked collaboratively to build and operate a 10 unit transitional housing shelter for spouses and children fleeing domestic violence. In April 1999, Council District Five allocated the necessary CDBG funds from its District CDBG budget to pay for design and construction. Since that time, STAR 100.7 has made "Becky's House" the centerpiece of its 1999 fund raising campaign. The radio station has pledged proceeds from their December 1999 "Jingle Ball" concert to go towards the Becky's House Project. All fund raising proceeds will be deposited in the Becky's House Donation fund administered by the City. The City will enter into an agreement with the Housing Commission to utilize the funds for shelter expenses and to provide counseling and other supportive services. The Housing Commission is negotiating with the YWCA of San Diego County to operate Becky's House. It is estimated that the transitional housing units will be built and ready for occupancy in the Summer of 2000.

In accordance with California Penal Code section 273.7, it is a misdemeanor to publicly disseminate the location of any domestic violence shelter. This law is intended to protect domestic violence victims by keeping the location of all shelters confidential.

FISCAL IMPACT:

Funds will become available as private donations are deposited in the fund and certified by the City Auditor.

Loveland/Cunningham/EL

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B300-490.)

MOTION BY WEAR TO CONTINUE TO NOVEMBER 20, 2000 AT THE REQUEST OF DEPUTY MAYOR MATHIS ON BEHALF OF DISTRICT 5 FOR FURTHER REVIEW. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea,

Kehoe-yea, Stevens-yea, District 5-Vacant, Stallings-yea, McCarty-yea, Vargas-yea,
Mayor Golding-yea.

ITEM-207: Flat Rate Lease Agreement with the YWCA.

(Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-111) ADOPTED AS RESOLUTION R-293799

Authorizing the City Manager to execute a Flat Rate Lease agreement with the YWCA; waiving Council Policy 700-12 with respect to this lease agreement based on the public benefit being provided by the YWCA.

CITY MANAGER SUPPORTING INFORMATION:

The City has available a vacant parcel of property containing 0.90 acre which the YWCA will lease for the construction of a Transitional Housing Facility.

The initial term will be 15 years with two options to extend for five years each. The rent will be Four Thousand Dollars (\$4,000) per year during the initial term and any option periods.

FISCAL IMPACT:

The rent will be \$4,000 per year for the initial 15-year term and the two five-year option periods. Funds will be deposited in the General Fund.

Loveland/Griffith/RAG

FILE LOCATION: LEAS-YWCA

COUNCIL ACTION: (Tape location: B300-490.)

MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote:
Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-Vacant, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-208: Lease Agreement with The San Diego Hilton Resort, Hilton San Diego Corporation.

(See City Manager Report CMR-00-175. Mission Bay Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-346) ADOPTED AS RESOLUTION R-293815 WITH DIRECTIONS

Authorizing the City Manager to execute a fifty-year Percentage Lease with Hilton San Diego Corporation.

FILE LOCATION: LEAS - Hilton San Diego Corporation

COUNCIL ACTION: (Tape location: C067-350.)

MOTION BY WEAR TO ADOPT WITH DIRECTIONS THAT A WATER QUALITY - BEST MANAGERMENTS PRACTICE PLAN BE DEVELOPED WITHIN SIX MONTHS AND THAT PLAN BE REVIEWED ANNUALLY. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-Vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-209: Joint Powers Agreement between the San Diego County Water Authority and the City of San Diego.

(See City Manager Report CMR-00-172.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-342) ADOPTED AS RESOLUTION R-293816

Approving the creation of a new joint powers entity, known as San Diego Centre for Organization Effectiveness, a Joint Powers Authority between the San Diego

County Water Authority and the City of San Diego;

Authorizing the City Manager to execute a Joint Exercise of Powers Agreement by and between the City of San Diego and the San Diego County Water Authority;

Authorizing the City Auditor and Comptroller to advance \$50,000 from the San Diego Centre for Organization Effectiveness Fund 41700 fund balance at June 30, 2000 to the San Diego Centre for Organization Effectiveness, JPA to meet the San Diego Centre for Organization Effectiveness's cash flow requirements for Fiscal Year 2001;

Authorizing and directing the City Manager to negotiate and enter into an agreement with the San Diego Centre for Organization Effectiveness, JPA for the provision of services for a period not to exceed three years, and to transfer a combination of \$210,000 in cash and accounts receivable from the San Diego Centre for Organization Effectiveness Fund 41700 balance at June 30, 2000 for the provision of such services;

Authorizing the City Auditor and Comptroller to allocate any other remaining residual of the June 30, 2000 San Diego Centre for Organization Effectiveness Fund 41700 balance, including any combination of cash or receivables, to the General Fund;

Authorizing the City Manager to sell the existing San Diego Centre for Organization Effectiveness equipment to the San Diego Centre for Organization Effectiveness, JPA at the net City book value.

Aud. Cert. 2100274.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F301-660.)

MOTION BY KEHOE TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-330: Two actions related to the North University City Public Facilities Financing Plan and Facilities Benefit Assessment.

(See City Manager Report P00-114; Public Facilities Financing Plan and FBA, Draft Fiscal Year 2001, March 2000 Draft. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-86) ADOPTED AS RESOLUTION R-293800

Designating an area of benefit in North University City and the boundaries thereof, confirming the description of Public Facilities Projects, the Community Financing Plan and Capital Improvement Program with respect to the Public Facilities Projects, the method for apportioning the costs of the Public Facilities Projects among the parcels within the area of benefit and the amount of the Facilities Benefit Assessments charged to each parcel, the basis and methodology for assessing and levying discretionary automatic annual increases in the Facilities Benefit Assessments, and ordering the proposed Public Facilities Project in the matter of the North University City Facilities Benefit Assessment Area.

Subitem-B: (R-2001-359) ADOPTED AS RESOLUTION R-293801

Declaring that the assessment fee schedule contained in the North University City Public Facilities Financing Plan, as adopted and approved on August 15, 2000, by Resolution No. R-293699, is an appropriate and applicable Development Impact Fee.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 7/19/2000, LU&H voted 5-0 to approve the City Manager's recommendation. (Councilmembers Wear, Kehoe, Stevens, Warden and McCarty voted yea.)

FILE LOCATION: Subitems A & B: STRT-FB-1-01 (33)

COUNCIL ACTION: (Tape location: B300-490.)

Hearing began at 11:31 a.m. and halted at 12:11 p.m.

MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote:
Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-Vacant, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-331: Cowles Mountain Boulevard (from Navajo Road to Acuff Drive) Underground
Utility District.

(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-10) ADOPTED AS RESOLUTION R-293817

Establishing the Cowles Mountain Boulevard (from Navajo Road to Acuff Drive)
Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities", and will underground the overhead utility facilities in the Cowles Mountain Boulevard (from Navajo Road to Acuff Drive) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electrical service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$3,500 per electric service lateral. Reimbursements will also include the cost of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs for service box modifications range from \$300 - \$500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

FISCAL IMPACT:

SDG&E Cost: The construction cost of \$924,000 will be financed through the use of San Diego Gas and Electric Company's Annual Allocation Funds as directed by the Public Utilities

Commission (Case 8209). The fiscal impact to the City is for the administration and street light replacement. Cost estimated at \$1,000. Funding is available in CIP-37-028.0, Undergrounding of City Utilities.

Belock/Boekamp/HR

Aud. Cert. 2001318.

FILE LOCATION: STRT-K-300 (38)

COUNCIL ACTION: (Tape location: C422-584.)

Hearing began at 2:48 p.m. and halted at 2:57 p.m.

Testimony in opposition by Ed Bromley.

Testimony in favor by Ron Unkifer.

MOTION BY McCARTY TO ADOPT. Second by Stevens. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-332: Fort Stockton Drive (from Pine Street to Hawk Street) Underground Utility District.

(Uptown Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-08) ADOPTED AS RESOLUTION R-293802

Establishing the Fort Stockton Drive (from Pine Street to Hawk Street)
Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities", and will underground the overhead utility facilities in the Fort Stockton Drive (from Pine Street to Hawk Street) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electrical service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$3,500 per electric service lateral. Reimbursements will also include the cost of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs for service box modifications range from \$300 - \$500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

FISCAL IMPACT:

SDG&E Cost: The construction cost of \$400,000 will be financed through the use of San Diego Gas and Electric Company's Annual Allocation Funds as directed by the Public Utilities Commission (Case 8209). The fiscal impact to the City is for the administration and street light replacement. Cost estimated at \$1,000. Funding is available in CIP-37-028.0, Undergrounding of City Utilities.

Belock/Boekamp/HR

Aud. Cert. 2001320.

FILE LOCATION: STRT-K-299 (38)

COUNCIL ACTION: (Tape location: B300-490.)

MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-Vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-333: Market Street (from 47th Street to Iona Drive) Underground Utility District.

(Chollas View and Emerald Hills Community Areas. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-06) CONTINUED TO OCTOBER 3, 2000

Establishing the Market Street (from 47th Street to Iona Drive) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities", and will underground the overhead utility facilities in the Market Street (from 47th Street to Iona Drive) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electrical service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$3,500 per electric service lateral. Reimbursements will also include the cost of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs for service box modifications range from \$300 - \$500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

FISCAL IMPACT:

SDG&E Cost: The construction cost of \$1,347,000 will be financed through the use of San Diego Gas and Electric Company's Annual Allocation Funds as directed by the Public Utilities Commission (Case 8209). The fiscal impact to the City is for the administration and street light replacement. Cost estimated at \$1,000. Funding is available in CIP-37-028.0, Undergrounding of City Utilities.

Belock/Boekamp/HR

Aud. Cert. 2001319.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B505-532.)

MOTION BY STEVENS TO CONTINUE FOR 30 DAYS AT THE REQUEST OF CITY STAFF BECAUSE IT IS UNDERGROUND LIGHTING AND FOR FURTHER REVIEW. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-Vacant, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-334: Santa Barbara Street (from Point Loma Avenue to Newport Avenue) Underground Utility District.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-12) ADOPTED AS RESOLUTION R-293803

Establishing the Santa Barbara Street (from Point Loma Avenue to Newport Avenue) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities", and will underground the overhead utility facilities in the Santa Barbara Street (from Point Loma Avenue to Newport Avenue) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electrical service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$3,500 per electric service lateral. Reimbursements will also include the cost of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs for service box modifications range from \$300 - \$500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

FISCAL IMPACT:

SDG&E Cost: The construction cost of \$647,000 will be financed through the use of San Diego Gas and Electric Company's Annual Allocation Funds as directed by the Public Utilities Commission (Case 8209). The fiscal impact to the City is for the administration and street light replacement. Cost estimated at \$1,000. Funding is available in CIP-37-028.0, Undergrounding of City Utilities.

Belock/Boekamp/HR

Aud. Cert. 2001317.

FILE LOCATION: STRT-K-296 (38)

COUNCIL ACTION: (Tape location: B300-490.)

Hearing began at 11:31 a.m. and halted at 12:11 p.m.

MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote:
Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-Vacant, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-335: Voltaire Street (from Chatsworth Boulevard to Catalina Boulevard) Underground Utility District.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-176) ADOPTED AS RESOLUTION R-293804

Establishing the Voltaire Street (from Chatsworth Boulevard to Catalina Boulevard) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities", and will underground the overhead utility facilities in the Voltaire Street (from Chatsworth Boulevard to Catalina Boulevard) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electrical service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$3,500 per electric service lateral. Reimbursements will also include the cost of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs for service box modifications range from \$300 - \$500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

FISCAL IMPACT:

SDG&E Cost: The construction cost of \$734,400 will be financed through the use of San Diego Gas and Electric Company's Annual Allocation Funds as directed by the Public Utilities Commission (Case 8209).

Belock/Boekamp/HR

FILE LOCATION: STRT-K-291 (38)

COUNCIL ACTION: (Tape location: B300-490.)

Hearing began at 11:31 a.m. and halted at 12:11 p.m.

MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-Vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-336: Regulatory Relief.

Matter of approving, conditionally approving, modifying, or denying items related to Regulatory Relief Day. The items proposed consist of an amendment

to the Mid-City Communities Planned District to allow Live/Work Quarters in specified commercial zones; and repeal of the San Carlos Geologic Hazard Overlay Zone.

LIVE/WORK QUARTERS IN MID-CITY: The Land Development Code currently permits Live/Work Quarters in several City-wide commercial zones and the Centre City Planned District. Interest has heightened to allow this use in North Park, due in part to the proposed ballpark and other redevelopment efforts in Centre City. The proposed ordinance permits Live/Work Quarters in selected zones of the Mid-City-communities Planned District, which regulates the North Park Community.

SAN CARLOS GEOLOGIC HAZARD OVERLAY ZONE: The proposed change would be to repeal City Council Resolution No. 254954, adopted on August 31, 1981, which established a Geologic Hazard Overlay Category within an area in the San Carlos community bounded by Golfcrest Drive, Navajo Road, Waring Road and Princess View Drive.

The resolution required that a geologic report be submitted to the City prior to the issuance of building permits and that the developer warranty the property against landslides for a period of ten years following the first sale of any developed property. In 1989 the Municipal Code was amended to include geologic hazards as part of the Building Code amendments, and further to require geologic reports for single family dwellings in the designated area because of the geologic designation. State law provides for remedy where latent defects occur or damage occurs to adjacent property for the 10 year period stipulated by the resolution.

Therefore, the provisions of the resolution are addressed in the Municipal Code. In addition, the resolution has not been well understood, and has had the unintended implication that unfairly identifies San Carlos as geographically unstable compared to the rest of the City, which is not accurate. Repeal will restore equity without lessening protection from geologic hazard.
(District-3 for Live/Work Quarters in Mid-City, District -7 for San Carlos Geologic Hazard Overlay Zone.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance in Subitem A and adopt the resolution in Subitem B:

Subitem-A: (O-2001-16) INTRODUCED, TO BE ADOPTED ON OCTOBER 2,
2000

Introduction of an Ordinance amending Chapter 10, Article 3, Division 15, of the San Diego Municipal Code by amending Section 103.1514 relating to permitting live/work quarters in the Mid-City Communities Planned District.

Subitem-B: (R-2001-88 Cor. Copy) ADOPTED AS RESOLUTION R-293805

Adoption of a Resolution repealing Resolution No. R-254954, adopted August 31, 1981, which established the San Carlos Geologic Hazard Overlay Zone.

OTHER RECOMMENDATIONS:

Planning Commission voted 5 - 2 to recommend City Council approve Regulatory Relief Items "B" and "D"; no opposition for these items.

Ayes: Steele, Anderson, Brown, Stryker, White
Nays: Butler, Skorepa

The Navajo Community Planners, Inc. has recommended in favor of Item "D" (Repeal of the San Carlos Geologic Hazard Overlay Zone).

SUPPORTING INFORMATION:

Background

Regulatory Relief days have been held periodically by the City Council since April 1993 to streamline regulations which may no longer be needed and cut red tape. These special Council events provide immediate relief from policies and regulations that no longer provide significant public benefit. Previous Regulatory Relief actions by the City Council have resulted in 60 policy changes to simplify the regulatory process in the City. This year's Regulatory Relief Day proposal includes two additional ordinance and/or policy changes for City Council consideration.

Discussion

The Regulatory Relief items being proposed are presented below, accompanied by a discussion of the suggested changes and their impacts. The following two items will require City Council action, and the City Manager recommends their approval.

ITEM B: LIVE/WORK QUARTERS IN MID-CITY: The Land Development Code currently permits Live/Work Quarters in several City-wide commercial zones and the Centre City Planned District. Interest has heightened to allow this use in North Park, due in part to the proposed ballpark and other redevelopment efforts in Centre City. At the request of the North Park Planning Committee and Councilmember Kehoe's office, the Land Use and Housing Committee of the City Council authorized staff to proceed with the preparation of an ordinance to permit Live/Work Quarters in selected zones of the Mid-City Communities Planned District, which regulates the North Park Community.

ITEM D: SAN CARLOS GEOLOGIC HAZARD OVERLAY ZONE: The proposed change would be to repeal City Council Resolution No. 254954, adopted on August 31, 1981, which established a Geologic Hazard Overlay Category within an area in the San Carlos community bounded by Golfcrest Drive, Navajo Road, Waring Road and Princess View Drive.

The resolution required that a geologic report be submitted to the City prior to the issuance of building permits and that the developer warranty the property against landslides for a period of ten years following the first sale of any developed property. In 1989 the Municipal Code was amended to include geologic hazards as part of the Building Code amendments, and further to require geologic reports for single family dwellings in the designated area because of the geologic designation. State law provides for remedy where latent defects occur or damage occurs to adjacent property for the 10 year period stipulated by the resolution. Therefore, the provisions of the resolution are addressed in the Municipal Code. In addition, the resolution has not been well understood, and has had the unintended implication that unfairly identifies San Carlos is geographically unstable compared to the rest of the City, which is not accurate. Repeal will restore equity without lessening protection from geologic hazard.

FISCAL IMPACT:

None.

Loveland/Christiansen/kf

NOTE: Item B (Subitem A on this docket) of this project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15061(b)(3); Item D (Subitem B on this docket) of this project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15301.

FILE LOCATION:

Subitem A: NONE; Subitem B: MEET

COUNCIL ACTION: (Tape location: B300-490.)

Hearing began at 11:31 a.m. and halted at 12:11 p.m.

MOTION BY WEAR TO INTRODUCE THE ORDINANCE IN SUBITEM A AND ADOPT THE RESOLUTION IN SUBITEM B. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-Vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-337: McGuire Residence.

(Continued from the meeting of August 8, 2000, Item 330, at the request of the applicant, for City staff to work with the Coastal Commission staff to resolve their concerns).

Matter of an appeal, by the San Diego Sierra Club, from the decision by the Planning Commission in approving Coastal Development/Sensitive Coastal Resource (CDP/SCR) permit No. 93-0628 to remodel an existing single family residence, to add a second story addition, to maintain existing variances for side-yard and front-yard setbacks, to add additional variances for a new front-yard setback, side-yard setback variance for the second story addition, a FAR variance, and a parking variance. This project is located at 5662 Dolphin Place in the R1-5000 Zone in the La Jolla Community Plan area.

(CDP/SCR-93-0628. La Jolla Community Planning Area. District-1.)

Note: Hearing open. No testimony taken on August 8, 2000.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution in Subitem A; adopt the resolution in Subitem B to grant the permit.

Subitem-A: (R-2001-) ADOPTED AS RESOLUTION R-293818

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration LDR No. 98-0628 has been completed in

compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said ND has been reviewed and considered by the Council and reflects the independent judgement of the City of San Diego as Lead Agency; stating for the record that the final ND has been reviewed and considered by the Council prior to approving the project; pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-2001-) DENY THE APPEAL AND GRANT THE PERMIT,
ADOPTED AS RESOLUTION R-293819

Adoption of a Resolution granting or denying Coastal Development/Sensitive Coastal Resource (CDP/SCR) Permit and La Jolla Planned District No. 93-0628.

OTHER RECOMMENDATIONS:

Planning Commission voted 7-0 to approve; was opposition.

Ayes: Steele, Anderson, Brown, Butler, Skorepa, Stryker, White.

Nays: None

Abstaining: None

The La Jolla Community Planning Group has recommended approval of the permit with the condition that no access be allowed by the owner via Coral Lane.

SUPPORTING INFORMATION:

This project was continued from the March 30, 2000 Planning Commission Agenda so that the applicant could resolve Coastal issues with the Sierra Club. The project proposes to remodel an existing 1,225 square-foot, one-story, single family residence on a 2,052 square-foot lot located on a coastal bluff at 5662 Dolphin Place. The site is zoned R1-5000 and the La Jolla Community Plan designates this site for single-family residential use. Surrounding land uses are one and two-story single family residences. In addition to the remodel, the applicant is requesting five new variances, the maintenance of existing legal non-conforming improvements and modification to an existing encroachment removal agreement on Coral Lane. This project application was originally submitted in late 1993 in response to a Code Enforcement Violation filed in 1992 for constructing a new deck encroaching into the 5'-0" bluff edge setback. During the course of the review of the project, the original owner and Neighborhood Code Compliance participated in mediation to resolve the Code Enforcement issues. Once the issues were resolved, the property was sold in 1996 to a new owner. Although some design changes were

made, this project remained inactive during this time period. This property was again sold in 1998 to Melissa McGuire, the current owner. The project has since been redesigned to conform with staff's current recommendations.

The project site is located on a bluff on the west side of Dolphin Place and is currently developed with a one-story, single-family residence and attached garage. The existing residence is located adjacent to a 20-foot wide, unpaved access known as Coral Lane. Coral Lane is located along the north property line. The Coral Lane access is identified in the La Jolla Community Plan as an unimproved public street (no access). The proposed addition will include a remodel of the first floor with an addition of 163 square-feet to the front of the residence and relocation of the entry from the side of the house to the front. In addition to the first floor remodel, a 684-square-foot second story will be added to include a master suite and a structurally cantilevered balcony. The second story addition will be set back 25'-0" from the bluff edge. This setback conforms to the required 25'-0" bluff top setback in the Sensitive Coastal Resource Ordinance.

FISCAL IMPACT: None.

All costs associated with processing the project are being paid by the applicant.

Ashcraft/Didion/TB

LEGAL DESCRIPTION:

The project site is located on a coastal bluff at 5662 Dolphin Place and is more particularly described as lot 9, Block I, Birdrock by the Sea, La Jolla Park, Map-1138.

FILE LOCATION: Subitems A & B: PERM-98-0628 (65)

COUNCIL ACTION: (Tape location: C590-D165.)

Hearing began at 2:57 p.m. and halted at 3:11 p.m.

Testimony in opposition by Joanne Pearson.

Testimony in favor by Matt Peterson.

MOTION BY KEHOE TO ADOPT THE RESOLUTIONS, DENY THE APPEAL AND GRANT THE PERMIT INCLUDING CONDITION NUMBER 32 AS STATED IN THE LETTER FROM PETERSON & PRICE TO THE MAYOR AND MEMBERS OF THE CITY COUNCIL DATED SEPTEMBER 11, 2000, AND IN ACCORDANCE

WITH CONCURRENCE RECEIVED FROM THE COASTAL COMMISSION: A) PRIOR TO THE RECORDATION OF THIS COASTAL DEVELOPMENT PERMIT, THE APPLICANT SHALL SUBMIT FOR THE REVIEW AND WRITTEN APPROVAL OF THE DEVELOPMENT SERVICES DEPARTMENT, A DETAILED LANDSCAPE PLAN INDICATING THE TYPE, SIZE, EXTENT AND LOCATION OF ALL PLANT MATERIALS, THE PROPOSED IRRIGATION SYSTEM AND OTHER LANDSCAPE FEATURES. DROUGHT TOLERANT NATIVE OR NATURALIZING PLANT MATERIALS SHALL BE UTILIZED TO THE MAXIMUM EXTENT FEASIBLE. SPECIAL EMPHASIS SHALL BE PLACED ON THE INSTALLATION AND MAINTENANCE OF THE VEGETATION SO AS TO ASSURE THAT NEITHER DURING GROWING STAGES NOR UPON REACHING MATURITY THAT SUCH VEGETATION WILL ENCROACH INTO OR OTHERWISE OBSTRUCT PEDESTRIAN VIEWS THROUGH CORAL LANE AND THE EXISTING INTERIOR SIDE YARD. B) PRIOR TO THE ISSUANCE OF A BUILDING PERMIT, THE APPLICANT SHALL RECORD A DEED RESTRICTION, IN A FORM AND CONTENT ACCEPTABLE TO THE DEVELOPMENT SERVICES DEPARTMENT, TO ENSURE THAT THE INTENT OF THIS CONDITION CONTINUES TO BE APPLICABLE THROUGHOUT THE LIFE OF THE PROJECT. THE RESTRICTION SHALL PROVIDE THAT LANDSCAPING SHALL BE IMPLEMENTED IN ACCORDANCE WITH PARAGRAPH (A) ABOVE AND CONSISTENT WITH EXHIBIT A APPROVED WITH SCR/VAR/CDP 93-0628. THE RESTRICTION SHALL BE RECORDED, FREE OF ALL PRIOR LIENS AND ENCUMBRANCES EXCEPT FOR TAX LIENS, AND BINDING ON THE PERMITTEE'S SUCCESSORS IN INTEREST AND ANY SUBSEQUENT PURCHASERS OF ALL OR ANY PORTION OF THE REAL PROPERTY.. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-338: Carmel Valley Athletic Club.

Matter of an application to develop and operate a private athletic club which includes three swimming pools, a spa, a variety of exercise rooms, a dining terrace, lawn areas, tennis courts, site landscaping, and physical park-like improvements within the 150 foot wide SDG&E easement located at 12000 Carmel Country Road in the SP (Special Use Area) zone of the Carmel Valley Community Plan area.

(Case CVPDP/RPO-99-1136. Carmel Valley Community Planning Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions in Subitems A and B; adopt the resolution in Subitem C to grant the permit.

Subitem-A: (R-2001-299) ADOPTED AS RESOLUTION R-293806

Adoption of a Resolution certifying that the information contained in LDR File No. 99-1136 has been completed in compliance with the California Environmental Quality Act of 1970 and State CEQA guidelines, and that said MND reflects the independent judgement of the City of San Diego as Lead Agency, stating for the record that the final MND has been reviewed and considered prior to approving the project, adopting the Mitigation Monitoring and Reporting Program pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-2001-300) ADOPTED AS RESOLUTION R-293807

Adoption of a Resolution adopting the Progress Guide and General Plan Amendment/Community Plan Amendment/Carmel del Mar Neighborhoods 4,5 & 6 Precise Plan Amendment.

Subitem-C: (R-2001-) GRANTED PERMIT/ADOPTED AS RESOLUTION R-293808

Adoption of a Resolution granting or denying the Carmel Valley Planned District/Resource Protection Ordinance Permit No. 99-1136.

OTHER RECOMMENDATIONS:

Planning Commission voted 5-0 to recommend approval; no opposition.

Ayes: Steele, Brown, Butler, Stryker, White.
Not present: Anderson, Skorepa.

The Carmel Valley Community Planning Group has recommended approval of the project.

SUPPORTING INFORMATION:

Carmel Valley Athletic Club proposes a Progress Guide and General Plan Amendment/Community Plan Amendment/Carmel del Mar Neighborhoods 4,5 & 6 Precise Plan

Amendment/Carmel Valley Planned District/Resource Protection Ordinance Permit to allow the development and operation of a private athletic club at 12000 Carmel Country Road which includes three swimming pools, a spa, a variety of exercise rooms, a dining terrace, lawn areas, tennis courts, site landscaping, and limited encroachments for surface parking into an SDG&E easement area which is identified in the precise plan as a community open space/pedestrian linkage system in the Carmel Valley Community Plan area.

The Carmel Valley Community Planning Board, voted 13:0:0 to approve the project on April 11, 2000.

At the August 10, 2000 Planning Commission hearing, the Commission voted 5:0:0, to adopt the Staff's recommendation with the following additional conditions:

1. Within Neighborhoods 1 & 5 the following shall be offered:
 - a. Residents of Neighborhoods 1 and 5 shall receive a ten-percent discount on the list price of membership initiation fees. From time to time, the Club may offer special initiation fee discounts and/or incentives in order to promote membership sales. At all time during such promotions, residents of Neighborhoods 1 & 5 will be able to join for the lowest individual transaction rate being offered for their membership category.
 - b.
 - c. Children's programs offered to non-members shall be available at member rates on a space available basis.
2. Use of loud speakers shall be limited to daylight hours.
3. Hours of operation shall be from 5:30 A.M. to 11:00 P.M.
4. Correction to the Mitigation Monitoring and Reporting Program as described by memo, dated August 10, 2000, to Planning Commission from John Fisher, Development Project Manager.

The City staff recommends certification of the Mitigated Negative Declaration LDR No. 99-1136; adoption of the Mitigation Monitoring and Reporting Program with all mitigation necessary to reduce, to a level of insignificance, all impacts of the project as identified in the MND; and approval of the Progress Guide and General Plan Amendment/Community Plan Amendment/Carmel del Mar Neighborhoods 4,5 & 6 Precise Plan Amendment/Carmel Valley Planned District/Resource Protection Ordinance Permit No. 99-1136.

FISCAL IMPACT:

None.

No cost to the City, all costs are recovered by a deposit account funded by the applicant.

Loveland/Christiansen/JSF

LEGAL DESCRIPTION:

The 10.59-acre project site is more particularly described as being located at 12000 Carmel Country Road in the Carmel Valley Community Planning Area (Lot Nos. 1&2, Carmel Del Mar Neighborhood 5, Unit 12, Map No. 12653).

FILE LOCATION: Subitems A, B & C: LAND-Progress Guide and General Plan/Carmel Valley Community Planning Area - Carmel Valley Athletic Club (09)

COUNCIL ACTION: (Tape location: B300-490.)

Hearing began at 11:31 a.m. and halted at 12:11 p.m.

MOTION BY WEAR TO ADOPT THE RESOLUTIONS, GRANTING THE PERMIT.
Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-Vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-339: Central Urbanized Planned District.

(Renoticed from the meeting of July 31, 2000, Item 203, due to substantive amendments made to the ordinances.)

Matter of approving, conditionally approving, modifying or denying amendments to the Municipal Code, and rezonings (C-sheet numbers C-895 and C-896) for the area generally bounded by Interstate 8 from Interstate 805 to Fairmount Avenue, southerly to Montezuma Road, easterly to Collwood Boulevard, southerly to El Cajon Boulevard, easterly to the City of La Mesa--

including the north side of El Cajon Boulevard, southerly to the Martin Luther King, Jr. freeway, westerly to State Route 15, northerly to Interstate 805, and northerly to Interstate 8. During this hearing, the City Council will also consider initiation of an amendment to the Mid-City Communities Plan to redesignate certain properties located along Marlborough Avenue between Orange Avenue and El Cajon Boulevard from mixed commercial-residential to multi-family residential.

The Municipal Code amendments will establish the Central Urbanized Planned District and affect permitted uses and development regulations in portions of the Normal Heights, Kensington-Talmadge, City Heights, Eastern Area, and College Area community plan areas. The amendments will delete the above named community plan areas from the Mid-City Communities Planned District. The rezonings affect the above named community plan areas, and generally include a reduction in the density of permitted residential development, allowing a greater depth of commercial development along commercial strips, restoring commercial zoning to portions of University Avenue, 43rd Street, Fairmount Avenue, and Euclid Avenue, permitting light manufacturing in some commercial areas, and restricting residential development in certain neighborhoods until public facilities are provided. The rezonings will implement the Mid-City Communities Plan that was adopted by the City Council in August, 1998.

(Portions of the Normal Heights, Kensington-Talmadge, City Heights, Eastern Area, and College Community Plan areas. Districts-3, 4, & 7.)

NOTE: Hearing open. Testimony Taken on July 31, 2000.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution in subitem A and introduce the ordinances in subitems B, C, D, and E:

Subitem-A: (R-2001-307) CONTINUED TO SEPTEMBER 19, 2000

Adoption of a Resolution initiating an amendment to the Mid-City Communities Plan and Progress Guide and General Plan to revise the land use designation of certain property located on Marlborough Avenue between El Cajon Boulevard and Orange Avenue from Commercial to Multi-Family Residential.

Subitem-B: (O-2001-24) CONTINUED TO SEPTEMBER 19, 2000

Introduction of an Ordinance amending Chapter 10 of the Municipal Code.

Subitem-C: (O-2001-26) CONTINUED TO SEPTEMBER 19, 2000

Introduction of an Ordinance amending Chapter 13 of the Municipal Code.

Subitem-D: (O-2001-25 Cor. Copy) REV. 1 CONTINUED TO SEPTEMBER 19, 2000

Introduction of an Ordinance amending the San Diego Municipal Code by adding Chapter 15, titled Planned Districts; by adding Article 1, titled Planned Districts; by adding Division 1, titled General Rules; by adding Division 2, titled Central Urbanized Planned District Ordinance; and by adding Sections 151.0201, 151.0202, 151.0210, 151.0220, 151.0230, 151.0231, 151.0232, 151.0233, 151.0234, 151.0235, 151.0236, 151.0238, 151.0240, 151.0242, 151.0250, 151.0251, 151.0252, and 151.0253 all relating to the Central Urbanized Planned District Ordinance.

Subitem-E: (O-2001-27) CONTINUED TO SEPTEMBER 19, 2000

Introduction of an Ordinance rezoning property located in the Mid-City and portions of the College community plan areas.

OTHER RECOMMENDATIONS:

On January 28, 1999, the Planning Commission voted 7 - 0 to approve staff's recommendations except Euclid Avenue, University Avenue to Home Avenue ; was opposition.

Ayes: Watson, White, Butler, Steele, Anderson, Skorepa, Stryker

The Proposed code amendments and rezones have been supported by the planning committees representing each of the affected planning areas, including the Normal Heights Community Planning Committee, Kensington-Talmadge Community Planning Committee, City Heights Area Planning Committee, Eastern Area Planning Committee, and College Area Community Council. The City Heights Area Planning Committee has recommended retaining provisions relating to minimum transparency and architectural features requirements for multi-family development removed by the City Council's action of July 31, 2000.

SUPPORTING INFORMATION:

BACKGROUND

The Mid-City Communities Plan was adopted by the City Council on August 4, 1998. Among the principal plan recommendations are to focus residential development onto the transit corridors while limiting densities in the neighborhoods, and to restore commercial zoning on several streets in City Heights. The City Council also adopted a facilities phasing ordinance which restricts residential development until facilities are available; specifically parks supplemented by the addition of schools/parks joint use facilities. Staff worked with the Mid-City Plan Implementation Committee and the four Mid-city community planning groups--Normal Heights, Kensington-Talmadge, City Heights, and Eastern Area--to formulate the rezoning program. Staff also worked with the College Area Community Council to address the Mid-City Planned District issues related to the north side of El Cajon Boulevard within the College Area Community Plan in order to assure zoning consistency on both sides of the street.

On January 28, 1999, the Planning Commission unanimously recommended approval of staff's recommendations.

DISCUSSION

The Mid-City Planned District was originally conceived after adoption of the 1984 Mid-City Community Plan. It was determined at that time that the Citywide zoning code was not capable of addressing the needs of the community. Since 1986, the Citywide zoning code (Land Development Code--LDC) has been updated and adopted by the City Council (November 1997, effective January 2000), and a new Mid-City Communities Plan has been adopted (August 1998).

FISCAL IMPACT:

None with this action.

Loveland/Goldberg/TCR

NOTE: The City of San Diego as Lead Agency under CEQA has reviewed and considered EIRs, LDR-98-8207, dated June 12, 1998, adopted August 4, 1998, by Resolution R-290607; and LDR-87-0601, dated October 6, 1988, adopted May 2, 1989, by Resolution R-273372, covering the proposed Municipal Code amendments and rezones.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: D170-F424.)

Hearing began at 3:12 p.m. and halted at 4:10 p.m.

Testimony in opposition by Mary Laiuppa and John Ziebarth.

Testimony in favor by Maria Moreno, David Springs, Steven Russell, Al Stasukevich, Jeff Peterson, Michael Dunn, Patty Vaccariello, David Nelson.

MOTION BY McCARTY TO CONTINUE TO SEPTEMBER 19, 2000 TO ALLOW STAFF TO MAKE THE FOLLOWING CHANGES:

- 1) REINSTATE THE ARCHITECTURAL REQUIREMENTS FOR MULTIPLE FAMILY STRUCTURES THROUGHOUT THE PDO.
- 2) REVISE TABLE 151.02C TO MAKE CONSUMER GOODS, SUNDRIES, AND PERSONAL SERVICES REQUIRE A NEIGHBORHOOD PERMIT IN THE CU-1 ZONE.
- 3) GO AHEAD WITH THE FOLLOWING ITEMS LISTED IN COUNCIL MEMBER McCARTY'S MEMO TO THE MAYOR AND COUNCIL DATED JULY 31, 2000:
 - B) DELETE CUP REQUIREMENT AND ADDITIONAL REGULATIONS IN CU-2-3 AND CU-2-4 ZONES FOR INSTRUCTIONAL STUDIOS ALONG EL CAJON BOULEVARD EAST OF EUCLID;
 - E) DELETE SAME IN NEIGHBORHOOD USE PERMIT IN 151.0251(1)(F);
 - G) REFER TO STAFF DIAGRAM 151-025B, FACILITY DEFICIENT NEIGHBORHOODS TO ADD THE COLLEGE AREA NEIGHBORHOODS OF COLLEGE, ROLANDO, ROLANDO PARK, DARNALL, OAK PARK, FOX CANYON AND ISLENAIR (PER CA PLAN, P. 96); AND
 - H) REFER CEAPER PLAN TO LU&H FOR CONSIDERATION OF CITY COUNCIL FOR ADOPTION OF COUNCIL MEMBER McCARTY'S MEMO DATED JULY 31, 2000.
- 4) DELETE THE 4200 BLOCK OF MARLBOROUGH FROM COMMERCIAL DEVELOPMENT AS, REQUEST BY COUNCIL MEMBER KEHOE, TO REFLECT THE COMMERCIAL LINE AS WAS DISCUSSED BY MS. KEHOE
- 5) MAINTAIN THE EXISTING ZONING FROM THE BLUE LINE TO THE PINK LINE, UNDER THE NEW MID-CITY ORDINANCE. THIS WOULD BE THE AREA NORTH OF UNIVERSITY AVENUE FROM 44th STREET OUT TO 47th STREET.
- 6) CHANGE THE REQUIREMENTS IN THE CU ZONES THAT ARE CONTAINED IN THE PLAN DISTRICT TO A CONDITIONAL USE PERMIT AND FOOTNOTE THE CITY-WIDE ZONES THAT IN MID-CITY, THE SMALL AND LARGE RECYCLING FACILITIES SHALL BE CONDITIONAL USE PERMITS.
- 7) ADJUST THE MAP OF DEFICIENT NEIGHBORHOODS TO REFLECT SOME OF THE OTHER NEIGHBORHOODS IN THIS AREA.
- 8) BRING THE ISSUE BACK IN SIX MONTHS TO EVALUATE THE RESULTS OF

THE CHANGES IN THE COMMUNITY. INCLUDE WHETHER IT ADDED TO THE COST OR DELAYED CONSTRUCTION. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-340: Findings for Surface Off-site Improvements for Beech Street and Pacific Highway Hotel (Hampton Inn).

(See memorandum from Centre City Development Corporation dated 8/4/2000. Little Italy Redevelopment District of the Expansion Sub Area of Centre City Redevelopment Project. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-318) ADOPTED AS RESOLUTION R-293809

Making certain findings with respect to the payments for construction of surface improvements on portions of Beech Street and Pacific Highway, Little Italy Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project.

NOTE: See the Redevelopment Agency Agenda of 9/12/2000 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B300-490.)

Hearing began at 11:31 a.m. and halted at 12:11 p.m.

MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-Vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-350: Settlement of the Claim of Chevron Products Corporation.

Adopted as Resolution R-293424.

A Resolution approved by the City Council in Closed Session on Tuesday, June 20, 2000, by the following vote: Mathis-yea; Wear-yea; Kehoe-yea; Stevens-yea; Warden-yea; Stallings-yea; McCarty-yea; Vargas-yea; Mayor-yea.

Accepting the settlement offer, involving water main break litigation, of the defendant in City of San Diego v. Chevron Products Corporation, Superior Court No. 726675;

Declaring that settlement funds in these cases shall be deposited in Water Fund No. 41500.

NOTE: This item is placed on a Council docket, so that the official and public record will reflect the adoption of this Resolution. It does not require any further Council action.

ITEM-351: Settlement of the Property Damage Claim of Center City Apartments, et al.

Adopted as Resolution R-293664.

A Resolution approved by the City Council in Closed Session on Tuesday, August 8, 2000, by the following vote: Mathis-yea; Wear-yea; Kehoe-not present; Stevens-yea; Warden-yea; Stallings-yea; McCarty-yea; Vargas-yea; Mayor-not present.

Authorizing the City Manager to pay the sum of \$189,408.67 in the settlement of each and every claim against the City, its agents and employees, resulting from the property damage claim of Center City Apartments, et al.;

Authorizing the City Auditor and Comptroller to issue one check in the amount of \$189,408.67 made payable to Luth and Turley, Inc., as the complete and final settlement of the property damage claim which occurred on December 21 and 23, 1998.

Aud. Cert. 2001262.

ITEM-352: Settlement of City of San Diego v. Group Delta Consultants, et al.

Adopted as Resolution R-293737.

A Resolution approved by the City Council in Closed Session on Tuesday, June 6, 2000, by the following vote: Mathis-yea; Wear-yea; Kehoe-yea; Stevens-yea; Warden-yea; Stallings-yea; McCarty-yea; Vargas-yea; Mayor-yea.

Authorizing the City Manager to accept the sum of \$600,000 from Group Delta Consultants, and \$185,000 from Baldwin Construction Company, for a total of \$785,000 as full settlement of all claims set forth in the lawsuit City of San Diego v. Group Delta Consultants, et al, San Diego Superior Court Case No. 730994, resulting from a hillside repair failure located on Genoa Drive, San Diego.

ITEM-353: Retention of Hydrology/Engineering Consultant and Outside Legal Counsel to Assist Water Department and City Attorney with Groundwater and Real Property Development.

Adopted as Resolution R-293666.

A Resolution approved by the City Council in Closed Session on Tuesday, August 15, 2000 by the following vote: Mathis-yea; Wear-not present; Kehoe-not present; Stevens-yea; District 5-vacant; Stallings-yea; McCarty-yea; Vargas-yea; Mayor-yea.

Authorizing the City Attorney to execute an agreement with CH2MHILL, Inc., in an amount not to exceed \$1.42 million for professional services as needed related to negotiations and litigation support on various real property and groundwater development matters;

Authorizing the City Attorney to execute an agreement with Hatch & Parent in an amount not to exceed \$500,000 for legal services as needed related to negotiations and litigation support on various real property and groundwater development;

Authorizing the expenditure of an amount not to exceed \$1.92 million from Water Revenue Fund 41500, Dept. 760, Org. 391020, Acct 4118, CIP-75-9320 solely and exclusively for the purpose of providing funds for the groundwater and real property development project.

Aud. Certs. 2100191 and 2100192.

NOTE: This item is placed on a Council docket, so that the official and public record will reflect the adoption of this Resolution. It does not require any further Council action.

ITEM-354: Point Loma - Power Generation and Distribution Upgrade Settlement with Nielsen Dillingham Builders, Inc.

Adopted as Resolution R-293665.

A Resolution approved by the City Council in Closed Session on Tuesday, August 15, 2000, by the following vote: Mathis-yea; Wear-not present; Kehoe-yea; Stevens-yea; District 5-vacant; Stallings-yea; McCarty-yea; Vargas-yea; Mayor-yea.

Authorizing the City Manager to negotiate and execute Change Order No. 19 with Nielsen Dillingham Builders, Inc, in an amount not to exceed \$615,000 for settlement of all delay claims in connection with the Point Loma - Power Generation and Distribution Upgrade contract;

Authorizing the City Auditor and Comptroller to transfer \$470,987 as follows: \$158,278 from Fund No. 41508, CIP-46-177.0, Point Loma Sedimentation Basins; and \$312,709 from Fund No. 41508, CIP-46-129.0, Point Loma Digesters N1 and N2 Roofs and Heating, both transferred to Fund No. 41508, CIP-46-179.0, Point Loma - Power Generation and Distribution Upgrade;

Authorizing the expenditure of an amount not to exceed \$615,000 from Fund No. 41508, CIP-46-179.0, Point Loma Power Generation and Distribution Upgrade.

Aud. Certs. 2100180 and 2100181.

- * ITEM-S400: Proclaiming the month of September 2000 to be “Selective Service Registration Awareness Month” in the City of San Diego.

COUNCILMEMBER McCARTY’S RECOMMENDATION:

Adopt the following resolution:

(R-2001-331) ADOPTED AS RESOLUTION R-293810

Designating the month of September 2000 as “Selective Service Registration Awareness Month” in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-Vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- * ITEM-S401: Science and Technology Commission.

MAYOR GOLDING’S RECOMMENDATION:

Introduce the following ordinance:

(O-2001-48) INTRODUCED, TO BE ADOPTED ON OCTOBER 2, 2000

Introduction of an Ordinance changing the name of “Science and Technology Council” to “Science and Technology Commission.”

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO INTRODUCE THE ORDINANCE. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-Vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-S402: Carmel Valley Neighborhood 10 - School Park Site.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-361) ADOPTED AS RESOLUTION R-293811

Authorizing the Auditor and Comptroller to appropriate and expend an amount not to exceed \$3,784,948.33 from CIP-29-687.0, FBA Fund 79008, for the acquisition of property rights, title, escrow, labor, Subdivision Map Act reimbursements, and miscellaneous costs in connection with the purchase of the 13.33-acre parcel for the Carmel Valley Neighborhood 10 School/Park Site Project;

As additional consideration for the purchase of the 13.33 acres, the City Manager, or designee, is authorized to execute a grant deed to Pardee Construction Company for the conveyance of an uneconomic remnant, a 479 square foot City-owned parcel;

Authorizing the City Manager, or designee, to execute a grant deed to the Del Mar Union School District for the sale of 5.70 acres of City-owned property for \$1,547,702.89, and an easement for a sewer facility for the Neighborhood 10 school.

CITY MANAGER SUPPORTING INFORMATION:

The acquisition of these three parcels, consisting of 13.33 acres, is the balance of the 18.33 acre requirement of the Carmel Valley Neighborhood 10 Precise Plan for a school and neighborhood park site. The City acquired a 5 acre parcel on November 18, 1998 which was approved by the City Council on November 10, 1998, Resolution No. R-290918. Concurrently with this action, the City will sell a 5.70 acre parcel to the Del Mar Union School District for the Neighborhood 10 school required by the Precise Plan. The sales price is \$1,547,702.89 and these funds will be applied to the purchase price of the property to be acquired from Pardee by the City. If the funds are not applied to the purchase price of the property to be acquired from Pardee, then the funds in the amount of \$1,547,702.89 will be deposited into CIP-29-687.0, FBA Fund No. 79008.

FISCAL IMPACT:

Funds in the amount of \$3,784,948.33 are available in CIP-29-687.0, FBA Fund No. 79008.
Loveland/Griffith/RAG
Aud. Cert. 2100284.

FILE LOCATION: DEED F-7851

COUNCIL ACTION: (Tape location: B270-299.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-Vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-S403: Request for Agency Participation in 28-Unit Project Located at Skyline Drive and Woodman Street.

(See SEDC Report No. 00-026. District-4.)

**SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION'S
RECOMMENDATION:**

Adopt the following resolution:

(R-2001-356) ADOPTED AS RESOLUTION R-293812

Approving and making certain findings regarding the use of funds from the Central Imperial and Mount Hope Redevelopment Projects low and moderate income housing funds outside of their respective project areas, and making certain findings regarding the use of tax increment for public improvements.

NOTE: See the Redevelopment Agency Agenda of September 12, 2000 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B270-299; B500-504.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-ineligible, Kehoe-yea, Stevens-yea, District 5-Vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-S404: Proclaiming September 12, 2000 to be "San Diego State University Men's Volleyball Day."

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-384) ADOPTED AS RESOLUTION R-293813

Proclaiming September 12, 2000 to be "San Diego State University Men's Volleyball Day" in recognition of the team's outstanding history of accomplishments and service in our community.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A116-486.)

MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, District 5-Vacant, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

NONE.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 5:08 p.m. in honor of the memory of William Nierenberg and Ross Robbins as requested by Mayor Golding; Kristopher Krohne, as requested by Council Member Stallings; Tom Cherniss, as requested by Council Member McCarty; and Tom Watts, as requested by Council Member Stevens.

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FILE LOCATION:

AGENDA

COUNCIL ACTION:

(Tape location: F667-G046).